

1992 SESSION FISCAL REPORT

Volume I

**74th General Assembly
State of Iowa**

Legislative Fiscal Bureau

July 1992



DENNIS C. PROUTY
DIRECTOR
515/281-5279

STATE CAPITOL
DES MOINES, IOWA
50319

STATE OF IOWA
LEGISLATIVE FISCAL BUREAU

JULY 1992

Members of the 74th General Assembly of Iowa and Other Interested Citizens:

The Fiscal Report, issued by the Legislative Fiscal Bureau, contains a comprehensive summary of fiscal information and legislation passed by the 1992 Session of the 74th General Assembly.

This report is intended to provide interested persons and parties with information on General Fund and non-General Fund appropriations, receipts, and bill summaries which have a significant fiscal impact upon the State of Iowa.

Included in this comprehensive report is the following information: appropriations summary; General Fund balance sheet; appropriations subcommittee review, miscellaneous appropriations bills, FY 1992 appropriation adjustments, summaries of the 2 Extraordinary Sessions, executive summaries of the ways and means bills; and a summary of Legislative Fiscal Bureau reports.

The portions of the appropriations bills which were vetoed by the Governor are designated by the use of [] and are highlighted by the term VETOED.

Please note that the General Fund balance sheet is the only place that accounts for the \$6.0 million reduction in allocations to the departments not subject to a 5.0% across-the-board reduction in SF 2393. Information on these reductions and subsequent effects on the departments will be available from the Fiscal Bureau.

Legislative Fiscal Bureau staff are available to answer any questions concerning the contents of this document.

Yours truly,

Dennis C. Prouty,
Director

**STAFF DIRECTORY
LEGISLATIVE FISCAL BUREAU**

Dennis Prouty, Director
Capitol, Second Floor
281-5279

DEPUTY DIRECTOR	Tim Faller	281-4615	Capitol-Second
FISCAL ANALYSIS	Holly Lyons	281-7845	Capitol-Second
POLICY ANALYSIS	Dwayne Ferguson	281-6561	Lucas-Ground
DATA BASE	Glen Dickinson	281-4616	Lucas-Ground
ADMINISTRATIVE STAFF	Douglas Wulf	281-3250	Lucas-Ground

APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION

Personnel	Larry Sigel	281-6764	Lucas-Ground
Revenue & Finance	Larry Sigel		
General Services	Larry Sigel		
Management	Larry Sigel		
State-Federal Relations	Larry Sigel		
Governor	Dwayne Ferguson	281-6561	Lucas-Ground
Lieutenant Governor	Dwayne Ferguson		
Treasurer	Dwayne Ferguson		
Secretary of State	Dwayne Ferguson		
Executive Council	Dwayne Ferguson		

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AGRICULTURE & NATURAL RESOURCES

Agriculture	Alice Wisner	281-4612	Capitol-Second
State Fair Authority	Alice Wisner		
Natural Resources/CLEAN Fund	Jeff Robinson	281-6767	Capitol-Second

ECONOMIC DEVELOPMENT

Economic Development	Leroy McGarity	281-7942	Lucas-Ground
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EDUCATION

Board of Regents	Sue Lerdal	281-7794	Capitol-Ground
College Aid Commission	Sue Lerdal		
Education	Jon Studer	281-6256	Capitol-Ground
Cultural Affairs	Jon Studer		

HEALTH & HUMAN RIGHTS

Public Health	Bob Snyder	281-4614	Capitol-Second
Civil Rights	Bob Snyder		
Elder Affairs	Bob Snyder		
Human Rights	Bob Snyder		
Blind	Bob Snyder		

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HUMAN SERVICES

AFDC, WIN , Food Stamps	Jon Neiderbach	281-4613	Lucas-Ground
Field Operations	Jon Neiderbach		
Foster Care	Jon Neiderbach		
Child Support Recovery	Jon Neiderbach		
County Based Services	Jon Neiderbach		
SSBG	Pam Shipman	281-5270	Lucas-Ground
Medical Services	Pam Shipman		
MH/MR/DD Services	Pam Shipman		
Institutions - MHIs, SHSs	Pam Shipman		
General Administration	Pam Shipman		

JUSTICE SYSTEM

Parole Board	Beth Lenstra	281-4617	Capitol-Ground
Corrections	Beth Lenstra		
Justice Department	Beth Lenstra		
Judicial Department	Douglas Wulf	281-3250	Lucas-Ground

REGULATION

Commerce	Mary Shipman	281-7846	Lucas-Ground
Employment Services	Mary Shipman		
Campaign Finance Disclosure	Mary Shipman		
Inspections & Appeals	Mary Shipman		
Public Employment Relations Board	Mary Shipman		
Auditor	Mary Shipman		

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TRANSPORTATION

Iowa Law Enforcement Academy	Douglas Wulf	281-3250	Lucas-Ground
Public Defense	Douglas Wulf		
Public Safety	David Reynolds	281-6934	Lucas-Ground
Transportation	David Reynolds		

WAYS AND MEANS

Standing Committees	Paul Durand	281-4611	Capitol-Second
Property Tax	Paul Durand		

EDUCATION STANDING COMMITTEES

School Finance	Vacant	281-6301	Lucas-Ground
Education Standing.Issues	Jon Studer	281-6256	Capitol-Ground

DATA BASE SUPPORT

Ray Knapp	281-5335	Lucas-Ground
Cynthia Dufty	281-6765	Lucas-Ground

ADMINISTRATIVE STAFF'

Lynn Sevedge	281-4594	Capitol-Second
Charlotte Mosher	281-5279	Capitol-Second
Nicole Navara	281-6766	Lucas-Ground

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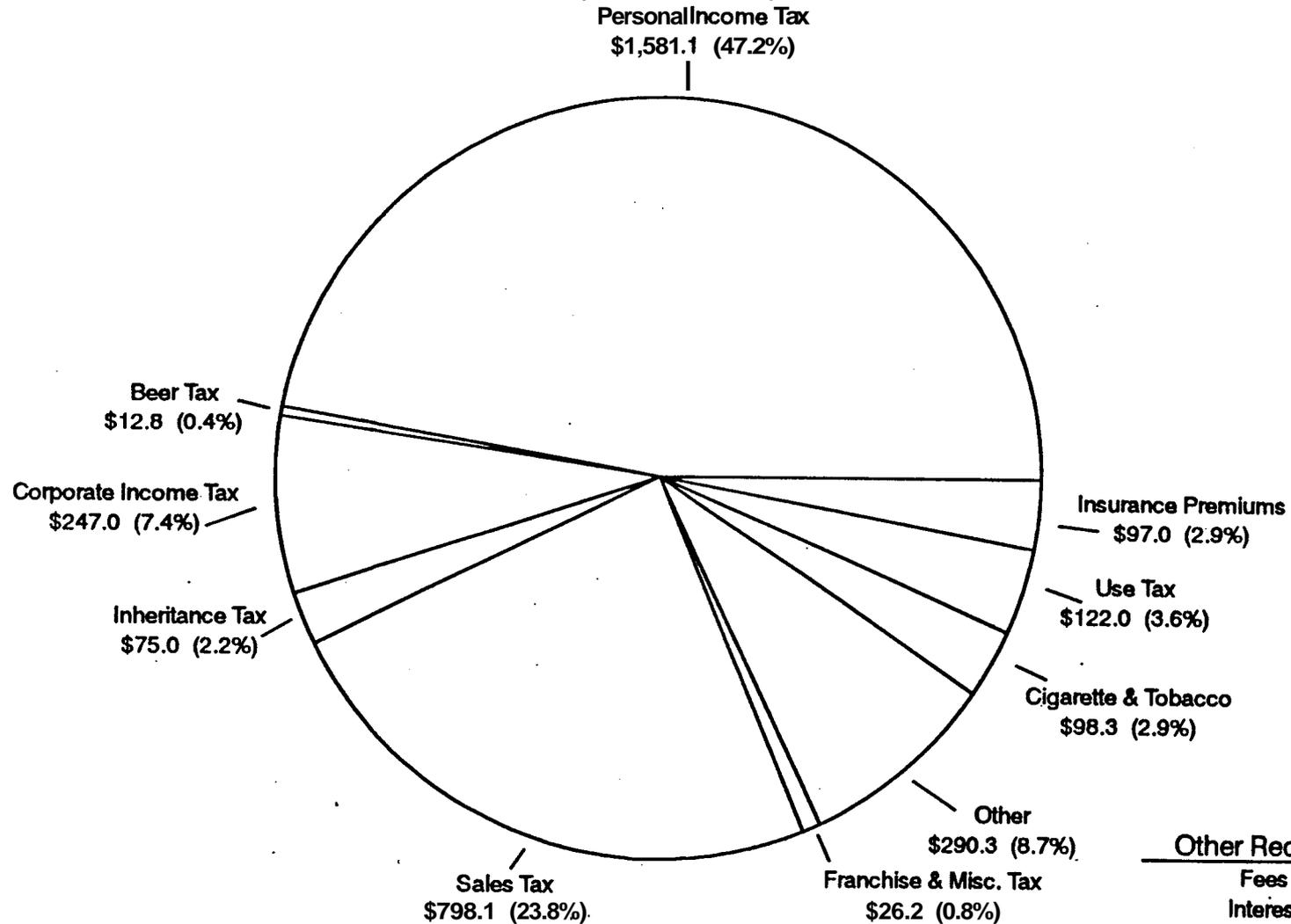
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General Fund Actual Receipts - FY 1992

(In Millions)

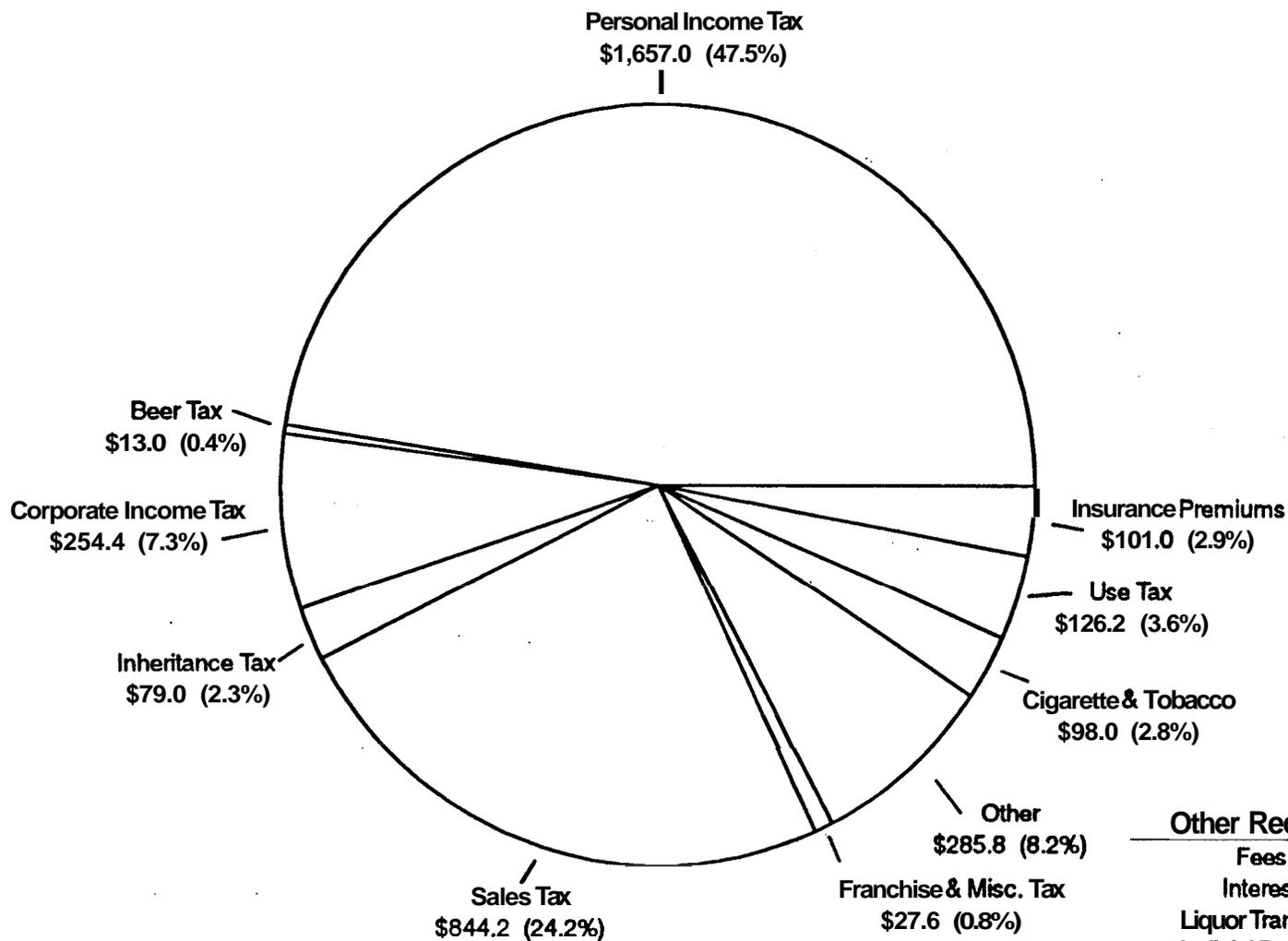


Total: \$3,347.8

Other Receipts	
Fees	\$58.0
Interest	\$ 9.0
Liquor Transfers	\$32.5
Judicial Revenue	\$34.0
Parimutuel Receipts	\$19.4
Third Party Payments	\$61.6
Miscellaneous Receipts	\$27.3
County Reimbursements	\$48.5

Estimated General Fund Receipts-FY 1993

(In Millions)



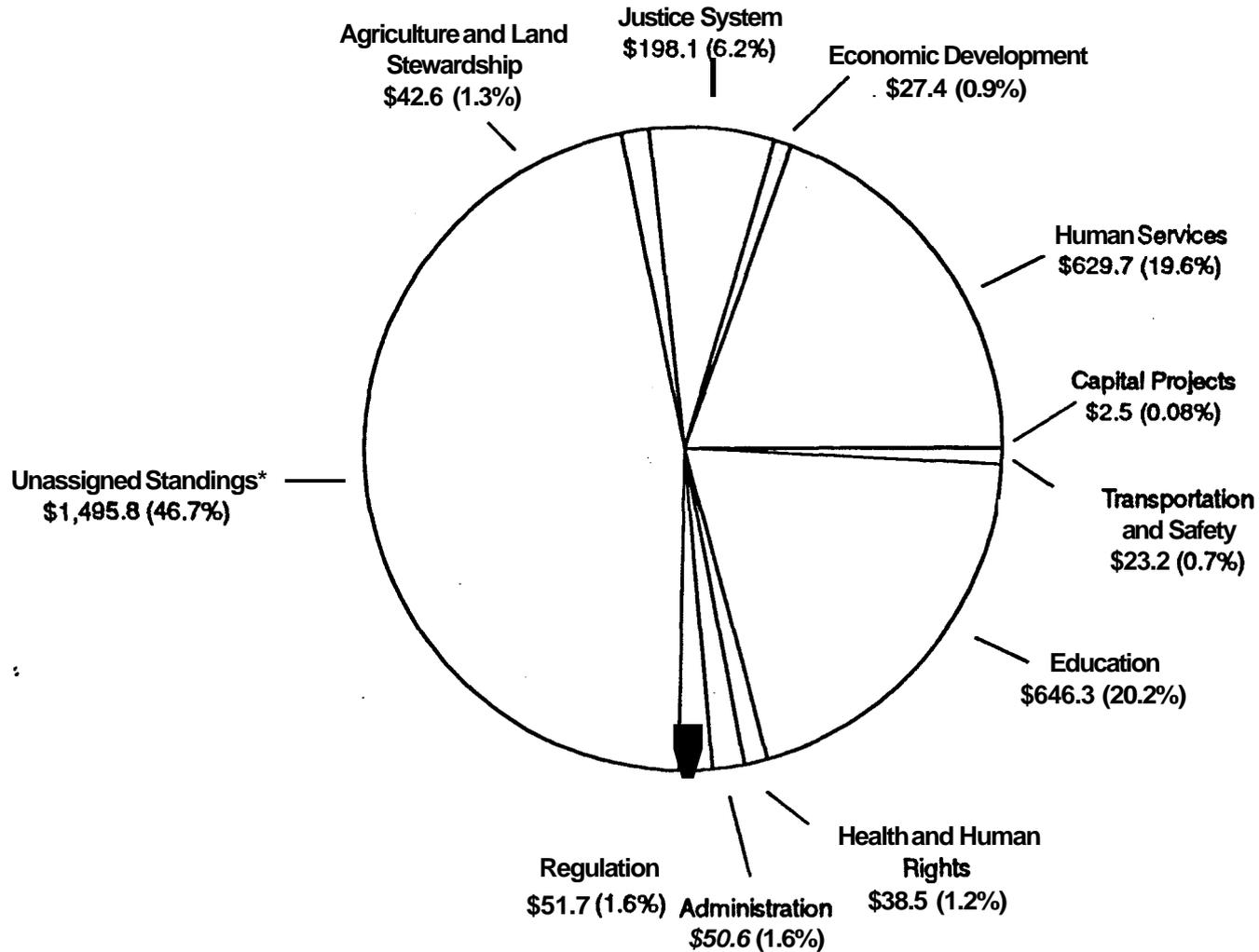
Total: \$3,486.2

Other Receipts	
Fees	\$58.4
Interest	\$ 5.0
Liquor Transfers	\$32.5
Judicial Revenue	\$36.0
Parimutuel Receipts	\$19.4
Third Party Payments	\$58.9
Miscellaneous Receipts	\$25.3
County Reimbursements	\$50.3

As prepared by the LFB for an April 1992 Revenue Estimating Conference

FY 1992 Adjusted General Fund Appropriations

(In Millions)

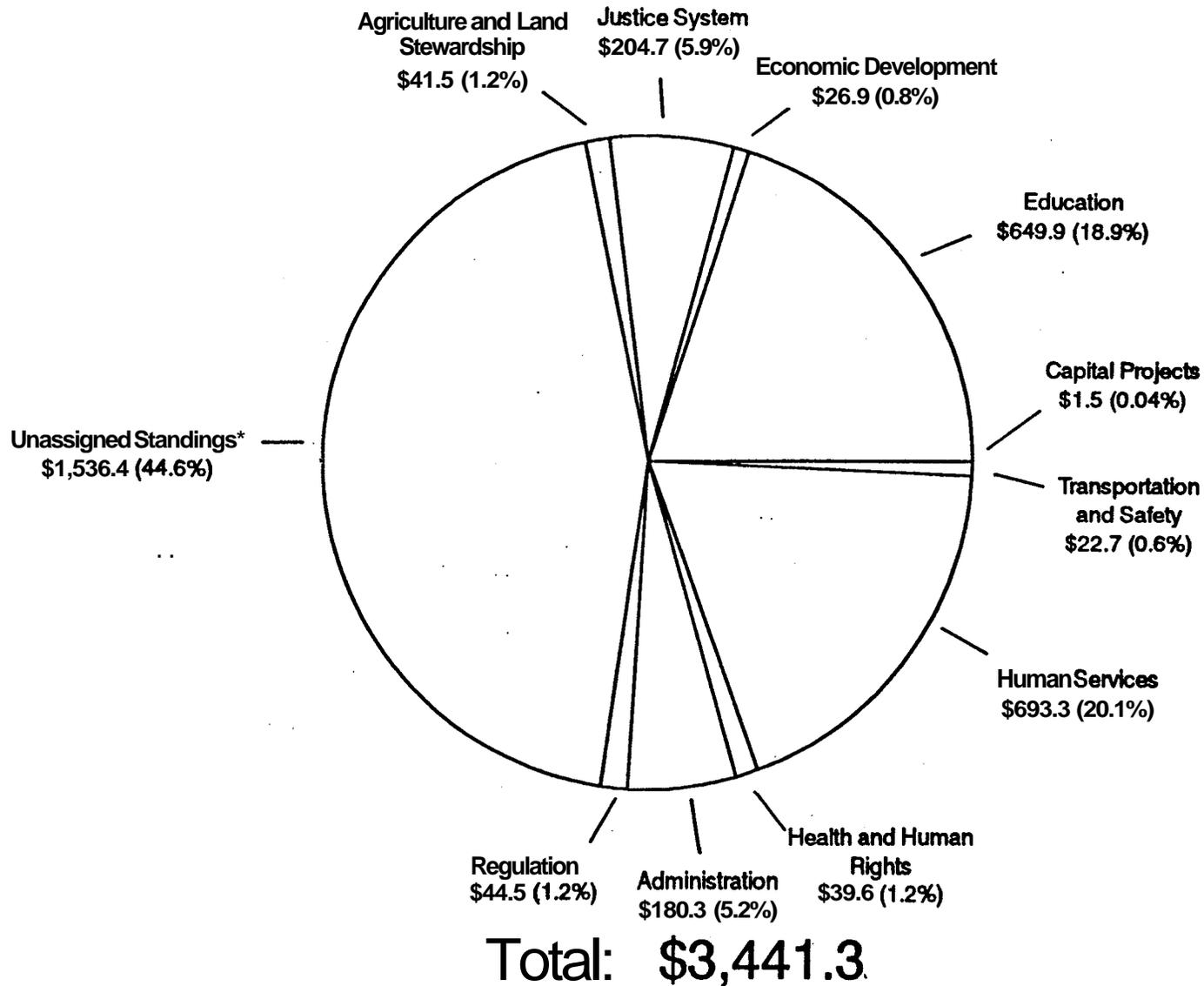


Total: \$3,206.4

*Unassigned standings are standings which were not considered at the appropriations subcommittee level.

FY 1993 Net General Fund Appropriations

(In Millions)



*Unassigned standings are standings which were not considered at the appropriations subcommittee level.

GENERAL FUND BALANCE

Dollars in Millions

	Fiscal Year 1992		Fiscal Year 1993	
	Governor's Revised	Final Action	Governor's Recomm.	Final Action
Estimated Funds Available:				
Beginning Balance	\$ 11.1	\$ 11.1	\$ 0.0	8 0.0
Estimated Receipts				
Revenue Est. Conference	3,347.8	3,347.8	3,486.2	3,486.2
Revenue Adjustments (Exh. 1)	5.3	5.3	263.2	227.2
Total Revenues	3,364.2	3,364.2	3,749.4	3,713.4
Tax Refunds	-252.1	-252.1	-282.0	-287.0
Net Revenues	3,112.1	3,112.1	3,467.4	3,426.4
Accruals	16.7	16.7	9.6	9.6
Transfers (Exh. 1)	51.5	51.5	38.7	38.4
Total Funds Available	3,180.3	3,180.3	3,515.7	3,474.4
Estimated Appropriations:				
General Fund	3,363.2	3,363.2	3,440.3	3,425.5
Appropriations Adjustments (Exh. 2)	-156.9	-156.9		
Total Appropriations	3,206.3	3,206.3	3,440.3	3,425.5
Reversions (includes \$ 1.1 mil for anticipated)	-9.0	-9.0	10.0	-13.9
Selective Reductions & Purchasing Freeze	-14.2	14.2	-6.0	-6.0
Fee-Funded Appropriations	-2.8	-2.8		
Total Reversions	-26.0	-26.0	-16.0	-19.9
Net Appropriations	3,180.3	3,180.3	3,424.3	3,405.6
Ending Balance	\$ 0.0	\$ 0.0	\$ 91.4	\$ 68.8

NOTE The Legislature passed legislation to appropriate 828.8 million from the General Fund and \$31.2 million from the Use Tax for a total of \$60.0 million to the GAAP Deficit Reduction Account. HF 2465 deposits approximately \$17.0 million from disproportionate share in the Cash Reserve Fund (created in SF 2351) for the purpose of reducing the GAAP deficit. The amount from disproportionate share reduces the \$28.8 million appropriation so that the total allocated to reduce the GAAP deficit will be \$60.0 million in FY 1993.

Exhibit 1

	Fiscal Year 1992		Fiscal Year 1993	
	Governor's Revised	Final Action	Governor's Recomm.	Final Action
REVENUE ADJUSTMENTS				
Cigarette and Tobacco Tax	\$ 0.0	\$ 0.0	\$ 21.6	\$ 0.0
Minimum Court Fines SF 2352			5.0	
Enhanced Collections HF 2459	3.5	3.5	4.0	4.0
Sales, Use, and Income Tax SF 2393			259.0	259.0
Use Tax GAAP Deficit Reduction SF 2393			-30.8	-30.8
Revenue Audits HF 2459			4.0	4.0
Auditor's Reimbursements			2.9	0.0
Wine Coolers			2.6	0.0
City and County Bridge Fund SF 2393			2.5	2.5
Mental Health Billings HF 2472			4.3	0.0
Racing and Gaming Fees			0.4	0.4
In-Home Health Care Credit HF 2486			-0.1	-0.1
Internal Revenue Code Update HF 2401	1.0	1.0	-0.3	-0.3
Alcoholic Beverages Truck Sales	0.4	0.4		
Alcoholic Beverages Bottle Deposits	0.4	0.4	0.3	0.3
Insurance Fees			0.2	0.2
Swimming Pool Inspection Fees HF 2457			-0.1	0.1
Certificate of Need SF 2375			-0.3	0.2
Decrease Riverboats & Consultant Fees			-6.5	-6.5
Aircraft Sale SF 2393			0.5	0.5
Cosmetology Fees SF 2353				0.1
Misc. Adjustment			-7.0	-7.0
Agriculture Fees SF 2347				0.5
OWI Civil Penalty SF 2352			1.0	
OSHA Fines HF 2390				0.1
TOTAL REVENUE ADJUSTMENTS	<u>\$ 5.3</u>	<u>\$ 5.3</u>	<u>\$ 263.2</u>	<u>\$ 227.2</u>
TRANSFERS				
Lottery Proceeds HF 2486	\$ 34.3	\$ 34.3	\$ 33.7	\$ 33.4
Insurance Fund Transfers	6.0	6.0		
Marine Fuel Tax Revenues	2.4	2.4	2.4	2.4
Indirect Cost Transfers	2.0	2.0	2.0	2.0
Great River Road Reversions	0.5	0.5		
Unclaimed Fees	5.7	5.7		
Miscellaneous	0.6	0.6	0.6	0.6
TOTAL CASH TRANSFERS	<u>8 51.5</u>	<u>\$ 51.5</u>	<u>8 38.7</u>	<u>\$ 38.4</u>

Exhibit 2

Appropriations	Fiscal Year 1992		Fiscal Year 1993	
	Governor's Revised	Final Action	Governor's Recomm.	Final Action
FY 1992 Appropriation Adjustments				
Pers Prop Tax Payment/School Aid SF 2116	\$ -35.0	\$ -35.0	\$ 0.0	\$ 0.0
School Aid Enrollment Advances SF 2116	-6.0	-6.0		
Supplementals SF 2116	38.0	38.1		
less Governor's Item Veto		-0.1		
Radio Communications to RUTF	-3.0	-3.0		
Additional Costs for TRANS	3.0	3.0		
Reduction In Force (RIF) Plan	-21.4	-21.4		
Item Veto/Intent Language	-18.6	-18.6		
3.25% ATB	-105.0	-105.0		
.62% ATE	-19.0	-19.0		
Standing Appropriation Reductions	-1.0	-1.0		
Supplemental/Deapprop SF 2367	11.1	11.1		
HF 2452 Juvenile Justice				0.3
HF 2455 Regulation Sub			49.9	46.0
HF 2457 Hlt & Human Rights Sub			38.5	38.9
HF 2469 Administration Sub			56.4	54.8
HF 2462 Econ Development Sub			28.7	27.3
HF 2465 Education Sub			648.5	648.3
HF 2482 Education Examiner			0.1	0.0
HF 47%MAS 4th Quarter			16.1	16.1
SF 2320 School Aid			1,200.0	1,193.7
SF 2346 Trans & Safety Sub			24.6	23.8
SF 2347 Ag & Natl Resources Sub			39.4	45.6
SF 2348 Justice System Sub			208.5	207.0
SF 2355 Human Services Sub			395.4	392.1
SF 2393 Special Session			326.9	326.8
HF 2486 GAAP Deficit Reduction Account			28.8	28.8
HF 2465 Cash Reserve Fund for Disproportionate Share			-17.0	-17.0
HF 2486 Medicaid			25.0	25.0
HF 2486 Net Approp/Reduction				0.1
HF 2486 Standings Reduction and HF 2465			342.1	339.5
All Remaining Standings			28.4	28.4
	\$ -156.9	\$ -156.9	\$ 3,440.3	\$ 3,425.5

Legislative Fiscal Bureau

General Fund Appropriations
July 20, 1992 @ 14:23

	Actual FV 1987 =====	Actual FV 1988 =====	Actual FV 1989 =====	Actual FV 1990 =====	Actual FV 1991 =====	Est Net Appr FV 1992 =====
Administration	40,808,333	39,572,097	60,758,412	46,821,207	47,836,011	50,604,181
Agriculture & Nature Res	28,522,699	29,084,276	36,290,479	35,430,087	33,541,532	42,646,460
Economic Development	9,430,276	7,159,383	12,785,853	12,874,153	32,608,757	27,441,410
Education	482,757,067	513,237,515	578,329,684	619,058,102	671,816,481	646,276,336
Health & Human Rights	29,816,821	31,483,520	34,439,239	38,036,368	41,912,380	38,512,875
Human Services	413,062,287	453,344,956	482,273,902	544,504,284	628,047,016	629,655,569
Justice System	131,193,177	140,347,060	156,750,344	175,122,768	190,417,270	198,095,420
Regulation	12,043,310	19,813,369	22,198,163	24,124,408	31,722,487	51,689,312
Transportation & Safety	16,392,450	16,206,434	17,870,724	19,846,965	22,870,522	23,203,018
Unassigned Stand ngs	1,039,190,376	1,186,884,989	1,271,251,208	1,332,249,181	1,440,665,078	1,495,753,481
Capital Projects	71,700	10,000,000	14,420,000	7,270,595	1,856,124	2,513,008
Total Appropriations	2,203,288,496	2,447,133,599	2,687,368,008	2,855,338,118	3,143,293,658	3,206,391,070
Operations	752,392,275	823,960,254	909,023,134	990,330,671	1,080,136,240	1,051,405,620
Grant and Aid	388,562,341	407,572,192	453,755,299	491,705,124	582,104,093	611,940,254
All Capitals	71,700	115,584	14,679,584	5,615,970	2,360,800	3,005,911
All Standings	1,062,262,180	1,215,485,569	1,309,909,991	1,367,686,353	1,478,692,525	1,540,039,285
Total Appropriations	2,203,288,496	2,447,133,599	2,687,368,008	2,855,338,118	3,143,293,658	3,206,391,070

Legislative Fiscal Bureau

General Fund Appropriations
July 20, 1992 @ 14:23

	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Administration						
Executive Council						
General Office	39,605	43,251	39,996	41,549	41,855	40,137
Legislative Branch						
House of Representatives						
NCSL	51,002	60,844	64,701	67,455	71,502	75,663
Joint Expenses						
Claims for Var. Persons			0	24,120	0	580
Legislative Service Bur.						
Pioneer Lawmakers	707	0	700		1,000	
Uniform State Laws						
Uniform State Laws	8,538	18,273	12,100	15,500	14,000	17,502
Legislative Branch	60,247	79,117	77,501	107,075	86,502	93,745
General Services, Dept.						
Gen Services Admn.	4,709,037	5,238,165	5,409,162	500,533	596,165	536,680
Communications			0	420,141	148,032	162,357
Information Services Div.	6,296,781	5,500,733	5,652,186	6,435,109	6,845,756	6,373,046
Property Management			0	3,802,158	3,982,350	3,431,479
Printing/Mail			0	560,750	521,226	461,603
Capitol Planning Comm.	2,095	1,569	1,542	1,542	1,600	1,420
Rental Space	890,311	667,106	655,431	440,929	544,000	521,672
Utilities	1,804,755	1,581,484	1,867,302	1,867,302	1,902,000	1,742,173
State Salary Book Print			7,972	17,503	16,177	4,777
General Services Director			0	104,644		
Materials Management			0	92,058	92,888	82,363
Records Management			0	407,460	435,225	352,554
Fire Safety					0	64,250
Legislative Mailings			3,241	6,588		
Historical Building Maint				100,000		
Custodial Staff				82,658		
Micrographics Staff				22,538		
Risk Management	184,666	18,481				
General Services, Dept.	13,887,645	13,007,538	13,596,836	14,861,913	15,085,419	13,734,454
Governor						
Terrace Hill	146,931	156,343	190,048	211,581	212,700	161,432
General Office	733,007	779,114	811,937	867,949	908,802	952,591
Expense, of Office	5,439	5,434	5,434	5,434	3,000	2,732
Terrace Hill Quarters	65,403	82,231	91,921	94,975	99,466	90,615
Ad Hoc Committee Expense	15,706	15,690	8,009	8,009	2,000	1,822
Admin. Rules Coordinator	74,803	88,438	91,315	102,056	102,000	92,923
National Governor's Assoc	0	0	68,980	73,120	75,000	77,661
Governor	1,041,289	1,127,250	1,267,644	1,363,124	1,402,968	1,379,776
Gov. Sub.' Abuse Coord.						
Drug Enf. Ab. Prev. Coord		0	45,206	50,997	82,733	145,882

Legislative Fiscal Bureau

General Fund Appropriations
July 20, 1992 @ 14:23

	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Administration						
Gov. Sub. Abuse Coord. Cedar Rapids Subs Ab Cntr Gov's Alliance Sub Abuse		0	0	50,317	59,000	36,440
Gov. Sub. Abuse Coord.	0	0	45,206	101,314	141,733	182,322
Governor. Lieutenant						
Lt Governor - Legislative	106,128	124,664	129,588	130,142	85,000	38,453
Lt Governor - Executive			0		64,000	
Governor. Lieutenant	106,128	124,664	129,588	130,142	149,000	38,453
Management, Department of						
Management-General Office	1,436,817	1,427,106	1,607,628	1,696,793	1,618,081	1,510,239
Council of State Govts.	44,806	52,447	55,900	58,600	61,000	66,743
Law Enforcement Training			0		123,000	112,053
Indian Settlement Officer	3,365	3,362	3,365	3,365	25,000	23,260
Salary Adjustment	240,609	260,522	1,878,456	218,994	284,995	3,100,000
Comp Worth Salary Adj	610,272					
FV 89 27th Pay Period Adj			16,000,000			
State & Local Legal Cent.			50,000			
Board Member Per Diem	10,152					
Management, Department of	2,346,021	1,743,437	19,595,349	1,977,752	2,112,076	4,812,295
Personnel. Department of						
Personnel. Department of Administration					1,212,855	,114,182
Field Services					1,398,552	,274,091
Program Management					1,159,528	,056,339
Compen. & Benefits					140,787	135,008
Personnel Department-Opt	2,999,720	3,186,450	3,578,203	3,764,078		
Pre-Tax Dependent Care			88,000	248,000		
IDOP Safety Officers				63,097		
Personnel Officer Travel				30,000		
IDOP Salary Annualization				50,000		
Personnel-Corr. Transfer	222,206					
Personnel-DOT Transfer	12,074					
Personnel-DHS Transfer	707,714		50,000			
	4,021,714	3,186,450	3,716,203	4,152,175	3,911,722	3,579,620
IDOP-Retirement						
FOAB & IOASI Administrati	150,538	155,485	109,141	109,141	0	
IOASI Increased Benefits	159,320					
	309,858	155,485	109,141	109,141	0	0
Personnel, Department of	4,331,572	3,341,935	3,825,344	4,261,316	3,911,722	3,579,620
Revenue & Finance, Dept.						
BNR Litigation					250,000	

Legislative Fiscal Bureau

General Fund Appropriations
July 20, 1992 @ 14:23

	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Administration						
Revenue & Finance, Dept.						
Administration			0	764,051	009,620	990,805
Audit and Compliance			0	8,099,437	9,171,404	9,807,345
Financial Management			0	6,583,696	6,512,330	6,392,840
Information Services			0	1,761,212	1,769,143	1,899,075
Local Gov't Service			0	1,320,548	1,257,670	1,326,778
Technical Services			0	1,600,370	2,000,801	2,052,574
Insurance Trust					0	335,634
Security Deposit					0	479,477
Sales Tax Fees & Cost	57,043	42,221	47,976	51,535	70,138	47,948
DRF - Additional Approp.					0	158,670
Increased Tax Enforcement			1,000,000	1,036,022		
ORF Operations	17,137,810	17,954,088	18,693,032			
Revenue & Finance, Dept.	17,194,853	17,996,309	19,741,008	21,216,871	21,841,106	23,491,146
Secretary of State						
Secretary of State	1,197,090	1,337,929	1,505,428	1,692,261	1,722,676	2,036,294
Official Register Print	62,000	0	72,470		74,000	
Secretary of State	1,259,090	1,337,929	1,577,898	1,692,261	1,796,676	2,036,294
State-Federal Relations						
General Office		189,844	194,694	206,769	220,340	211,296
Treasurer of State						
Treasurer-General Office	541,883	580,823	667,348	761,121	791,614	759,123
Iowa Special Olympics					5,000	4,825
World Food Prize					250,000	240,695
Excursion Boat Gambling				100,000		
Treasurer of State	541,803	580,823	667,348	861,121	1,046,614	1,004,643
Operations	40,747,925	39,526,514	60,699,099	46,748,804	47,724,696	50,528,196
Grant and Aid	57,043	42,221	47,976	51,535	70,138	47,948
Standings	3,365	3,362	11,337	20,868	41,177	28,037
Administration	40,808,333	39,572,097	60,758,412	46,821,207	47,836,011	50,604,181

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	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Agriculture & Natural Res						
Ag. & Land Stewardship						
Ag and Land Stewardship						
Administrative Division	1,473,930	961,644	997,698	1,247,702	1,353,009	1,041,348
Ag Marketing Bureau	242,356	727,295	935,681	1,064,780	1,124,521	873,608
Farmer's Market Coupon	0		100,000	198,333	198,333	190,192
Regulatory Division	0	3,568,350	4,122,443	4,212,203	4,257,679	3,720,473
Pseudorabies Eradication	3,503,606				250,000	383,582
Laboratory Division	565,138	592,984	607,241	845,888	809,851	697,424
Lamb and Wool Promotion	0				250,000	191,791
Multifloral Rose Eradication	60,000	59,940		62,400		
Interstate Grain Compact	50,000				0	57,908
Soil Conservation Div.	4,031,312	4,401,726	4,551,035	5,106,127	5,379,513	4,921,769
Soil Cons Cost Share	6,546,519	6,539,972	6,789,972	6,789,972	5,926,252	5,926,702
Grain Indemn. Fund Start	100,000					
	16,572,861	16,851,911	18,104,070	19,527,405	19,549,158	18,004,797
Trust Fund Replacements						
Commercial Feed - Admin					0	54,053
Commercial Feed - Lab					0	663,286
Fertilizer - Admin					0	54,053
Fertilizer - Laboratory					0	753,161
Dairy Trade Prac - Admin					0	97,031
Pesticide - Laboratory					0	1,093,407
Milk Fund - Regulatory					0	619,390
	0	0	0	0	0	3,334,381
Ag. & Land Stewardship	16,572,861	16,851,911	18,104,070	19,527,405	19,549,158	21,339,178
Natural Resources, Dept.						
REAP Appropriation			5,000,000		0	7,767,225
Energy Research Standing					0	143,843
Natural Resources Dept.	9,645,817	10,529,892	11,780,426	13,411,699	0	
Reimbursement To USGS	185,558	185,983	185,983	185,983	185,983	178,350
Green Thumb Program	138,730	199,800	200,000	200,000	230,500	212,791
Director's Office						53,598
Coordination & Info						671,604
Administrative Services					2,790,575	1,451,211
Parks & Preserves					5,500,139	4,980,703
Forestry					1,671,001	1,464,366
Energy & Geology					1,366,629	1,857,888
Environmental Protection					1,947,547	
Non-SF546 Marine Fuel Tax					0	719,216
Marine Fuel GF to Parks					0	431,530
MFT GF to Fish & Game					0	143,843
Pine Lake Feasibility Study		39,960				
Sewage Works Grants	1,865,695	1,276,730				
Low-Level Radioactive Waste	45,000					
Outdoor Writer's Conventn			20,000			
GF REAP Fund Transfer				2,000,000		

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	Actual FY 1987 =====	Actual FY 1988 =====	Actual FY 1989 =====	Actual FY 1990 =====	Actual FY 1991 =====	Est Net Appr FY 1992 =====
Agriculture & Natural Res						
Natural Resources, Dept.						
Loess Hills State Forest				105,000		
Natural Resources, Dept.	11,880,800	12,232,365	17,186,409	15,902,682	13,692,374	21,307,282
State Fair Authority						
State Fair Capitals			1,000,000		300,000	
Building & Grounds Maint.	69,038					
State Fair Authority	69,038	0	1,000,000	0	300,000	0
Operations	16,561,879	21,227,614	23,480,507	28,640,115	27,065,280	27,705,892
Grant and Aid	11,960,820	7,856,662	7,809,972	6,789,972	6,476,252	7,029,500
Standings	0	0	5,000,000	0	0	7,911,068
Agriculture & Natural Res	28,522,699	29,084,276	36,290,479	35,430,087	33,541,532	42,646,460

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	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Economic Development						
Economic Devel.. Dept. of Economic Development, Dept						
Job Training Partnership	960,151	959,191	480,000	480,000		
Iowa Youth Corp	406,516	369,918	290,164	294,789		
Childcare/Displacd Homem Ambassador	1,000,000	727,272	727,272	500,000		
International Marketing	1,112,642					
Tourism - Multistate			5,000			
	4,479,309	2,056,381	1,502,436	1,274,789	0	0
Financial Authority						
Homeless Assistance			100,000	100,000		
Administrative Services						
General Administration	821,732	769,242	302,880	860,706	1,032,221	836,014
Information Mgmt.					360,000	328,601
Film Office		98,054	116,851	156,158	197,962	181,304
	821,732	867,296	419,731	1,016,864	1,590,183	1,345,919
Business Development						
Business Development	913,786	817,150	744,614	780,535	792,481	2,278,442
Marketing Advertising		89,473	790,000	3,000,000	2,490,000	
Small Business Program	239,533	342,094	319,393	150,591	189,159	225,411
Small Business Advisory			0	5,000	5,000	
Existing Industry			0	124,006	140,165	
Procurement Office			0		110,000	95,895
Business Assist. Centers					1,484,000	702,388
Business/Rural Incubators					0	76,716
Targeted Small Business			0	47,692	50,758	47,948
Comm. Econ. Betterment					4,420,000	3,385,672
Business Dev. Finance					641,000	
Microenterprise Develop					720,000	635,448
	1,153,319	1,248,717	1,854,007	4,107,824	11,042,563	7,447,920
Community & Rural Develop						
Community Progress	416,054	426,768	455,124	469,338	673,355	448,167
Mainstreet/Rural Main St. COG Assistance					353,000	350,018
Rural Development Prog.					300,000	287,686
Community Dev Block Grant	54,226	55,509	71,222	296,194	0	701,391
Rural Community 2000					320,855	307,685
	470,280	482,277	526,346	765,532	0	268,328
International Division						
International Trade		1,087,813	409,509	417,632	400,475	527,502
Intl. Development Found.					50,000	
European Trade Office			218,350	227,357	229,033	243,618
EC 92 Opportunities					60,000	
East Europe Trade					50,000	
Asian Trade Office			163,939	204,187	207,881	244,533

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	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Economic Development						
Economic Devel.. Dept. of International Division					44,000	
Pacific Rim Trade					286,013	287,686
Japan Trade Office			300,709	302,191	286,013	287,686
Export Trade Asst. Prog.	1,000,655		400,000	400,000	352,000	331,644
Ag Products Adv Council		4.085	4.005	4.885	4.085	3,836
Partner State Program			0	20,000	100,000	96,514
Peace Institute				250,000	286,600	95,895
	1,000,655	1,092,698	1,497,392	1,826,252	2,070,807	1,831,228
Tourism Division						
Tourism Operations		1,397,479	951,406	978,357	724,532	676,555
Tourism Advertising	1,489,981		915,000	2,785,000	3,210,500	2,435,746
Welcome Center Program					245,238	335,634
Mississippi River Parkway	15,000	14,535	19,535	19,535	19,535	18,219
	1,504,981	1,412,014	1,885,941	3,782,892	4,199,805	3,466,154
Workforce Oevelopment Div						
Youth Work Force Conserv.					1,159,016	1,209,903
Iowa Corps					109,836	73,926
Small Business New Jobs					398,772	-490,000
Job Retraining Program					1,498,535	919,371
Workforce Investment Prog			0		913,000	958,955
Labor Management Councils					250,000	194,017
	0	0	0	0	4,329,159	2,866,172
Iowa Finance Authority					0	2,685,076
Housing Improvement Fund					1,400,000	
Rural Community 2000			5,000,000		1,000,000	
Homeless Shelters - Oper.					500,000	
Maintenace & Rehab.						
	0	0	5,000,000	0	2,900,000	2,685,076
INTERNET						
INTERNET					371,500	497,047
Wallace Foundation						
Wallace Foundation					1,369,880	2,542,277
Small Business Innovat.					80,000	
Productivity Enhancement					150,000	
	0	0	0	0	1,599,880	2,542,277
Iowa Product Development						
Iowa Product Development					1,083,670	967,500

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	Actual FY 1987 =====	Actual FY 1988 =====	Actual FY 1989 =====	Actual FY 1990 =====	Actual FY 1991 =====	Est Net Appr FY 1992 =====
Economic Development						
Economic Devel., Dept. of						
Miscellaneous					195,600	
Tech Innovation Centers						
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Economic Devel., Dept. of	9,430,276	7,159,383	12,785,853	12,874,153	31,030,457	26,012,568
Regents, Board of						
Iowa State University						
Institute for Phys: Res.					287,000	207,606
Special Prog. & Projects						
ISU Small Bus. Center					1,291,300	1,141,156
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Regents, Board of	0	0	0	0	1,578,300	1,428,842
Operations	9,376,050	7,103,874	12,714,631	12,577,959	32,287,902	27,133,725
Grant and Aid	54,226	55,509	71,222	296,194	320,855	307,685
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Economic Development	9,430,276	7,159,383	12,785,853	12,874,153	32,608,757	27,441,410
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	Actual FY 1987 =====	Actual FY 1988 =====	Actual FY 1989 =====	Actual FY 1990 =====	Actual FY 1991 =====	Es Ne Appr FY 1992 =====
Education						
College Aid Commission						
Operations and Loan Prog.						
Scholarship & Grant Admin	296,479	265.8 13	287.852	313,271	302,222	331,799
Osteopathic Univ - Grants			0	426,000	422,000	386,056
Osteopathic Univ - Admin.	725.410	724,685	715,000	374,000	452,000	412,350
Student Aid Programs			0	500,000	2,008,100	1,789,517
Displaced Worker					292,732	
National Guard Loan Repay					250,000	215.893
IMAGES				50,000		
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	1,021,889	990,498	1,002,852	1,663,271	3,727,054	3,135.615
Standing Loan & Grant Prog						
Tuition Grant Standing	20,733,084	24,294,765	28,894,765	30,682,505	32,608,795	31,146,867
Scholarship Prog Standing	336,525	399,600	750,000	800,000	813,840	779,630
Voc. Tech. Grant Standing	646,582	645,935	644,294	750,000	1,315,647	1,261,025
Work-Study Prog. Standing	0	2,147,850	2,650,000	3,000,000	3,085,684	2,976,542
Guaranteed Loan Payment	57,690	84,915	84,699			
Science & Math Loan Prog	67,305	49,950				
Supplemental Grant Prog	900,000	799,200	450,000			
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	22,741,186	28,422,215	33,473,758	35,232,505	37,823,966	36,164,064
College Aid Commission	23,763,075	29,412,713	34,476,610	36,895,776	41,551,020	39,299,679
Cultural Affairs, Dept.						
Iowa Arts Council	481,590	469,820	522,280	946,788	2,628,552	1,096,255
State Historical Society	1,349,152	1,509,812	2,039,056	2,561,266		2,453,548
Cultural Affairs - Admin		270,386	295,204	372,946	464,752	390,911
Cultural Grants					805,000	751,821
Town Square					70,000	63,291
Permanent School Fund Rep			55,000	94,000	0	
DCA - Special Projects	552,700					
Iowa Tomorrow, 2010 Project			100,000			
Herbert Hoover Library	1,246					
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Cultural Affairs, Dept.	2,384,688	2,250,018	3,011,540	3,975,000	5,136,214	4,755,826
Education. Department of						
Administration						
DE Administration	4,194,809	5,247,785	5,394,903	5,958,384	5,949,082	5,110,655
Vocational Ed. Admin.	854,150	894,270	894,148	947,665	834,604	801,712
Special Programs & Proj.			750,000	536,038	0	
State Library	1,078,377	1,081,445	1,227,033	1,862,617	2,163,151	2,054,487
Board of Ed. Examiners	37,591	66,454	66,854	70,053	134,107	119,044
Regional Library System	1,465,230	1,464,165	1,489,785	1,520,655	1,532,698	1,550,981
Iowa Public Television	5,795,001	5,979,419	6,373,739	7,902,452	6,495,567	5,946,894
Vocational Rehab.	2,696,461	2,736,954	2,806,842	3,024,269	3,642,058	3,439,584
Independent Living			17,715	17,715	19,367	20,429
Career Information System			0	84,000	37,950	
School Budget Review Comm	110,000					
Fire Service Education	140,377					

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Education						
Education, Department of Administration						
AEA Economy Task Force	10,000					
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	16,381,996	17,470,492	19,021,019	21,923,848	20,808,584	19,043,786
Grants & State Aid						
Corrections Education					2,099,669	2,032,985
Vocational Ed. Secondary	3,723,061	3,679,378	3,666,360	3,666,360	0	3,542,303
School Food Service	3,173,131	3,169,958	3,146,215	3,146,215	3,056,215	2,930,763
Textbook Nonpublic Sch	333,160	349,650	348,413	368,413	643,053	575,373
Voc Ag. Youth Org.					50,000	37,640
AEA Spec Ed Support Serv.					225,000	
Youth Leadership Grant	9,252	9,243	9,000	30,000	18,700	
Educational Aid to Indian		99,900				
NonEnglish Speak English	150,000	149,850	150,000			
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	7,388,604	7,457,979	7,319,988	7,210,988	6,092,637	9,119,064
Community College						
CC - General Aid	45,772,986	52,724,532	57,295,827	73,695,728	84,679,234	87,526,308
CC - 4th Quarter Aid	13,776,507	14,129,593	22,618,845	11,055,356	13,579,598	14,328,541
CC - Property Tax Repl			828,012	1,182,872	1,182,852	1,135,133
MAS Formula Prop Tax Allc			411,772	57,162		
MAS - State Voc Aid	8,049,520					
GAAP for Merged Area Sch.			12,000,000			
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	67,599,013	66,854,125	93,154,456	85,991,118	99,441,684	102,989,982
Education, Department of	91,369,613	91,782,596	119,495,463	115,125,954	126,342,905	131,152,832
Regents, Board of						
Board Office Operations						
Regents Board Office	461,203	511,770	565,556	1,084,378	1,151,820	1,066,184
Tuition Replacement	17,291,054	16,204,725	17,003,669	18,946,283	17,238,340	18,441,824
Southwest Iowa Grad. Cntr					40,000	35,481
Tri State Graduate Center			0	40,000	75,000	68,524
Quad Cities Graduate Cntr					145,000	143,843
Regents Salary Improv.	2,000,000					
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	19,752,257	16,716,495	17,569,225	20,070,661	18,650,160	19,755,856
University of Iowa						
Univ. of Iowa - General	127,495,487	137,458,712	148,388,236	165,039,399	177,190,277	166,493,013
SUI Indigent Patient	25,153,434	26,577,151	26,827,131	27,893,767	28,842,728	27,114,534
SUI Psychiatric Hospital	5,688,643	5,960,880	6,271,551	6,595,639	6,880,093	6,458,495
SUI Hospital School	4,232,130	4,488,973	4,777,067	5,156,091	5,431,268	5,087,438
SUI Oakdale Campus	2,380,305	2,478,059	2,582,112	2,804,756	2,890,600	2,629,091
SUI Hygienic Lab	2,323,419	2,470,956	2,660,252	2,862,302	3,010,722	2,795,083
SUI Family Practice Prog	1,446,022	1,507,793	1,596,260	1,734,947	1,808,571	1,679,118
SCHS - Hemophilia. Cancer	302,285	333,057	363,237	398,880	428,771	399,106
SUI Ag Health And Safety		59,940	59,940		250,000	235,992
SUI Statewide Tumor Regis			0		190,500	179,987

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Education						
Regents, Board of						
University of Iowa						
SUI Child Care					0	57,537
SUI Sub. Abuse Consortium					0	57,537
SUI Cntr for Biocatalysis					300,000	287,686
SUI Ritalin Study					5,000	
SUI Ethanol Truck Project			15,000			
SUI Library			341,250			
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	169,021,725	181,335,521	193,882,036	212,485,781	227,228,530	213,474,617
Iowa State University						
Iowa State Univ- General	104,336,724	112,784,533	124,052,766	133,477,736	144,282,110	135,605,903
ISU Ag Experiment	11,908,958	13,065,582	14,530,604	17,397,068	21,953,881	16,865,784
ISU Coop Extension	11,443,436	13,125,525	14,278,391	15,811,988	16,835,682	15,892,187
ISU Fire Service Inst.	100,000	389,456	389,456	410,000	417,000	393,974
ISU Leopold Center			0	600,000	600,000	567,917
ISU Child Care					0	57,537
ISU Comp Ag. Research						3,795,743
ISU Rural Concern Hotline	155,000	89,910	90,000			
ISU Library			234,400			
Citrus/Hazardous Waste	50,000					
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	127,994,118	139,455,006	153,575,617	167,696,792	184,088,673	173,179,045
Univ. of Northern Iowa						
UNI - General	40,772,721	44,378,747	48,146,888	53,053,198	58,129,037	55,752,565
UNI Child Care					0	57,537
Decision Making Institute					575,000	
Applied Technology					300,000	
Science, Academy of	57,494	57,437	50,000	50,000		
UNI Library			60,850			
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	40,830,215	44,436,184	48,257,738	53,103,198	59,004,037	55,810,102
Special Schools						
Iowa School for the Deaf	4,878,884	4,959,422	5,188,136	5,731,768	6,034,588	5,693,492
Iowa Braille & Sight Sch	2,762,492	2,789,660	2,873,319	3,173,172	3,358,354	3,136,496
Tuition & Transportation			0		0	18,391
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	7,641,376	7,749,082	8,061,455	8,904,940	9,392,942	8,848,379
Special Prog. & Projects						
ISU Biodegradable Plastic					135,000	
ISU Research Park				250,000	0	
ISU Livestock Tech. Tran					287,000	
ISWRI		99,900				
ISU Drought Assistance				150,000		

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Education Regents. Board of Special Prog. & Projects UNI Center Early Oev Ed	0	99,900	0	400,000 800,000	422,000	0
Regents, Board of	365,239,691	389,792,188	421,346,071	463,061,372	498,786,342	471,067,999
Operations	382,226,184	408,157,009	442,026,697	487,702,836	526,168,065	495,719,054
Grant and Aid	77,789,697	76,658,291	102,829,229	96,122,761	107,024,450	114,393,210
Standings	22,741,186	28,422,215	33,473,758	35,232,505	37,823,966	36,164,064
Education	402,757,067	513,237,515	578,329,684	619,058,102	671,816,481	646,276,336

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Health & Human Rights						
Blind, Iowa Comm. For The Department For The Blind	1,220,873	1,253,661	1,330,118	1,375,383	1,353,704	1,339,025
Civil Rights Commission General Office	834,738	848,760	094,430	922,347	1,022,296	947,402
Elder Affairs, Department						
State Administration	284,119	342,892	338,278	454,570	467,874	389,671
Area Agencies on Aging	114,248	114,134	114,000	114,000	165,000	158,227
Elderly Services Program	777,195	076,118	1,356,000	1,381,000	1,443,981	1,399,768
Retired Iowan Employment	104,865	104,760	104,000	104,000	104,000	99,732
Alzheimer's Disease	70,000	69,930	0	62,500	75,000	71,921
RSVP Projects	14,278	14,264	14,000	34,500	83,000	70,003
Care Review Comm Coord	0	0	0	120,000	120,000	115,075
Senior Legislature	12,953	12,940	13,000	13,000	13,000	
Elder Law Educatn Program	95,000	0	100,000	50,000	29,207	
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Elder Affairs, Department	1,472,658	1,735,038	2,039,278	2,333,570	2,501,062	2,304,397
Health, Dept. of Public						
Administration & Support	782,156	060,577	760,583	810,787	824,032	642,755
Professional Licensure	468,770	468,247	471,803	613,655	575,610	573,249
Office of Rural Health	0	0	0	09,883	165,695	129,015
EMS Training	0	0	1,001,864	1,014,337	940,259	909,212
Policy & Planning	207,405	1,350,127	1,233,770	1,169,117	1,128,757	371,634
Health Data Commission	0	249,750	250,000	375,000	355,000	287,686
Health Protection	1,152,478	1,627,157	1,792,841	2,049,733	2,368,751	2,233,715
Substance Abuse	523,582	481,321	483,558	516,334	509,064	410,233
Sub Abuse Prog Grants	6,931,123	7,021,092	7,215,000	7,382,929	8,830,088	8,124,270
Sub Abuse Aftercare Svcs	0	0	0	0	200,000	191,791
Family & Community Health	1,559,950	2,181,769	2,202,991	3,012,853	3,685,805	4,093,515
SIDS Autopsies	14,270	14,264	14,000	13,000	10,000	9,589
Public Health Nursing	2,147,659	2,175,581	2,235,200	2,541,042	2,732,249	2,489,687
Homemaker-Home Hlth Aide	7,188,869	7,417,044	7,988,200	8,475,982	8,659,617	8,510,880
Well Elderly Clinics	205,957	380,576	494,000	655,000	625,000	580,168
Physician Care for Kids	0	0	0	400,000	425,000	407,555
Primary & Prevent Health	0	0	0	290,000	0	129,458
Dental Examiners	114,848	120,261	173,009	205,899	219,542	206,110
Medical Examiners	628,282	863,780	884,000	917,520	992,539	872,664
Nursing Examiners	538,269	548,235	743,971	774,142	760,157	723,108
Pharmacy Examiners	362,865	381,173	533,060	574,800	612,168	564,686
Graduate Nursing Grants	0	0	0	0	152,500	
EMS Equipment	0	0	0	0	600,000	
OB Patient Care Program	1,100,000	699,300	573,364			
Community Health	1,623,649	0	0			
Sex Abuse Investigations	55,014					
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Health, Dept. of Public	25,605,154	26,840,254	29,051,214	31,882,013	35,379,833	32,460,980
Human Rights, Dept. of						
Administration	118,719	144,052	116,306	211,698	255,737	215,130
Community Action Agencies	0	0	0	0	0	3,494
Deaf Services	226,529	231,215	292,949	275,788	309,373	262,549
Persons With Disabilities	109,774	125,969	132,220	188,422	193,543	164,239

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	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Health & Human Rights						
Human Rights, Dept. of						
Latino Affairs	45,990	60,280	60,000	62,385	61,043	86,198
Status of Women	103,636	110,154	114,659	330,427	346,684	330,224
Status of African Am.	0	0	52,611	69,386	67,777	75,356
Criminal & Juvenile Just.	0	0	215,392	221,939	268,841	323,881
Children Vouth & Families	78,750	134,137	140,062	163,010	152,487	
Human Rights, Dept. of	683,398	805,807	1,124,199	1,523,055	1,655,485	1,461,071
Operations	10,985,382	12,133,767	12,966,611	14,920,195	16,183,784	14,828,838
Grant and Aid	18,831,439	19,349,753	21,472,628	23,116,173	25,728,596	23,684,037
Health & Human Rights	29,816,821	31,483,520	34,439,239	38,036,368	41,912,380	38,512,875

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	Actual FY 1987 =====	Actual FY 1988 =====	Actual FY 1989 =====	Actual FY 1990 =====	Actual FY 1991 =====	Est Net Appr FY 1992 =====
Human Services						
Human Services, Dept. of						
Economic Assistance						
Aid to Dependent Children	58,300,000	61,938,000	47,328,449	44,726,207	44,669,456	44,577,574
Emergency Assistance					900,000	853,325
Promise Jobs	480,000		1,449,344	1,930,636	3,300,000	4,068,808
Aid to Native Americans	35,000	34,965	34,965	36,365	38,000	36,440
Child Support Recoveries	1,021,642	1,025,960	1,064,387	1,035,319	2,965,446	2,964,710
Collection Serv Center		737,329	730,379	304,576	263,574	
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	59,836,642	63,736,254	50,607,524	48,033,103	52,136,476	52,500,857
.Medical Services						
Medical Assistance	140,500,000	152,461,500	166,098,645	192,353,700	233,531,045	254,529,600
Medical Contracts	2,640,000	2,547,450	3,127,045	4,164,800	3,685,300	4,213,479
State Supplementary Asst.	10,900,000	12,489,000	14,995,600	17,102,888	18,010,000	18,522,933
MH/MR/DD Serv--Med Asst.			1,300,000	3,479,600	2,630,000	2,447,384
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	154,040,000	167,497,950	185,521,290	217,100,988	257,856,345	279,713,396
Juvenile Institutions						
Toledo Juvenile Home	3,074,543	3,304,621	3,777,599	4,308,498	4,685,718	4,392,711
Eldora Training School	5,276,190	5,621,077	6,482,785	7,368,485	7,943,630	7,517,350
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	8,350,733	8,925,698	10,260,384	11,676,983	12,629,348	11,910,061
Helping Childr & Families						
Foster Care	31,100,000	34,803,170	39,302,000	43,449,278	57,593,321	60,448,069
Home Based Services	5,271,116	6,393,600	6,974,800	8,333,382	11,747,402	18,938,888
Child Protection	95,000		0	0	0	
Transitional Child Care			0	2,600,000	376,576	314,125
Community Based Services	2,698,000	3,277,020	5,032,700	2,307,907	4,054,914	3,822,294
Ct Ordered Serv Juvenile	3,000,000	1,198,800	3,702,000	4,713,200	13,275,100	3,599,687
Child Care Services			2,750,000	3,986,108	6,833,000	7,104,073
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	42,164,116	45,672,590	57,761,500	65,389,875	93,880,313	94,765,539
Veterans Home						
Marshalltown Vet Home	20,654,014	22,991,375	24,573,080	28,355,601	29,248,140	27,175,244
Mental Health Institution						
Cherokee Mental Health	11,465,093	12,232,473	12,696,871	13,849,600	14,876,688	14,508,308
Clarinda Mental Health	6,049,984	6,553,362	6,814,537	7,264,349	7,638,209	6,365,015
Independence Mental Hlth	11,333,205	12,334,450	12,878,837	14,642,627	15,573,504	16,139,895
Mt Pleasant Mental Health	6,265,433	6,715,552	7,281,754	7,909,673	9,115,499	6,615,448
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	35,113,715	37,835,837	39,671,999	43,666,249	47,203,900	43,628,666
State Hospital-Schools						
Glenwood Hospital-School	30,256,778	33,121,682	35,020,849	37,752,245	39,946,773	36,995,276
Woodward Hospital-School	25,342,842	27,244,228	28,633,932	30,080,031	32,151,244	30,257,377
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	55,599,620	60,365,910	63,654,781	67,832,276	72,098,017	67,252,653

	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Human Services						
Human Services, Dept. of						
Serving Persons MI/MR/DD						
Community MH/MR Fund		3,329,667	3,205,000	3,205,000	3,203,000	
Family Support Subsidy				400,000	590,000	648,077
DO Special Needs Grants					55,000	52,871
MH/MR/DD Special Services	109,000		0		425,000	366,801
Disabil Policy Council					0	26,851
MH/MR/DD/BI Community Ser	3,333,000	599,400			0	
Social Serv. Block Grant		4,385,610	3,064,000	3,852,357	4,643,000	4,451,978
State Purch of Local Serv	3,530,000					
	6,972,000	8,314,677	6,269,000	7,457,357	0.9 16,000	5,547,378
Managing & Deliver Servc						
Field Operations	24,120,670	30,404,663	34,763,197	39,621,259	42,619,535	38,006,872
General Administration	6,072,150	6,991,581	7,146,465	8,651,426	8,714,022	8,571,239
Volunteers	68,000	67,932	67,932	81,758	88,825	85,007
Gamblers Assistance Prog.					0	383,582
Child Development Grants			1,175,700			
	30,260,820	37,464,176	43,153,294	48,354,443	51,422,382	47,046,700
Human Services, Dept. of						
Food Stamp Employment		459,540		159,053	62,000	
Family Development Grants			690,000	090,000	925,000	
Child Care Resource & Ref				250,000	258,931	
Child Care Start-up			0	606,125	760,000	
CP Staff Training			0	420,000	235,500	
CP Permanency Planning			0	75,000	100,000	
CP System Improvement			0	75,000	40,000	
CP A.G. Assistance			0	75,000	88,000	
CP Multidisciplinary Team			0	75,000	75,000	
Certification Standards				200,000		
Medical Assistance Expans				1,155,000		
Child Abuse Prev. Grants				100,000		
Protective Day Cars				2,308,295		
Child Care Emergency Gran				25,000		
Decategorizstion Impoveme				100,000		
CP Foster Care Review Brd				10,000		
	0	459,540	690,000	6,523,473	2,544,431	0
Standings						
Commission of Inquiry	1,005		0	6,223	400	7,192
Non Resident Transfer	5,556	754	2,285	2,023	1,216	2,398

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Justice System						
Justice Department						
General Office A.G.	3,365,703	3,692,010	4,081,878	4,531,640	4,769,996	4,234,960
Pros. Attor. Training	84,037	87,277	91,842	198,495	191,898	131,899
Farm Mediation Service	150,000	299,700	200,000	200,000	200,000	95,895
Farm Legal Assistance	250,000	60,000	60,000	200,000	225,000	95,895
Victim Assistance Grants			0	240,000	540,000	1,342,537
Area GASA Pros. Attorney					0	99,155
Consumer Advocate					0	1,926,541
Prosecutor Internship	48.308	44,955	44.955	44,955	2.400	
Prosecuting Atty-Manual			0	15,000	0	
Victim Compensation Fund	49.827			211,053		
Dispute Resolution	50,000					
Justice Department	3,997,875	4,183,942	4,478,675	5,641,143	5,929,294	7,926,882
Corrections, Dept. of						
Corr. - Central office						
Prision Expansion Design				250,000		
Life Management Programs				100,000		
Fruit Trees	9,973					
Tort Claims		1,498				
	9,973	1,498	0	350,000	0	0
Corr. - Institutions						
Ft. Madison Inst.	16,182,751	6,952,913	8,214,686	19,730,830	21,588,288	20,893,768
Anamosa Inst.	11,273,867	1,754,324	2,590,206	14,605,007	15,987,263	15,496,197
Oakdale Inst.	7,574,933	8,017,101	8,743,875	9,700,505	11,080,808	13,291,450
Newton Inst.	1,986,132	2,059,215	2,252,860	2,958,397	3,283,020	3,372,951
Mt Pleasant Inst.	8,529,407	8,830,980	9,501,146	10,628,640	11,520,879	11,067,075
Rockwell City Inst.	2,155,408	2,239,243	2,342,213	2,695,407	3,093,238	3,395,122
Clarinda Inst.	3,027,934	3,185,190	3,482,041	4,075,630	4,675,841	5,064,185
Mitchellville Inst.	2,622,780	2,702,028	2,908,254	3,383,754	3,824,832	4,117,399
	53,353,212	55,740,994	60,035,281	67,778,170	75,054,169	76,698,147
Corr. - Central Office						
Central Office	1,542,506	1,762,564	1,776,147	2,052,228	2,161,625	1,996,667
County Confinement	68,298	64,935	119,580	239,580	215,000	241,285
Fed Prisoners/Contract	355,720	354,645	300,000	360,000	360,000	347,451
Training Center	326,504	288,249	290,861	306,038	381,242	358,785
Corr. Expansion-Phase I				1,100,000	625,860	625,860
Corr. Expansion-Phase II				200,000	1,026,000	3,143,250
State Cases - Stdg.	255,376	92,804	61,388	67,363	50,640	67,560
Parole Relief Fund	1,250	1,250	1,250	2,500	0	
	2,549,654	2,564,447	2,549,226	4,327,709	4,820,367	6,780,858
CBC Districts						
CBC District I	0	2,981,445	3,480,619	4,073,459	4,435,695	5,275,583
CBC District II	0	2,458,502	2,772,411	3,092,022	3,538,120	3,720,977
CBC District III	0	1,437,084	1,587,177	1,894,506	2,039,074	2,348,190
CBC 3 Dist Bed Funding					40,000	
CBC District IV	0	1,358,164	1,509,537	1,737,891	1,910,542	1,892,833

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Justice System						
Corrections, Dept. of						
CBC Districts						
CBC District V	0	4,193,899	4,818,535	5,234,520	6,074,995	6,668,971
CBC District VI	0	3,050,975	3,547,884	3,894,140	4,571,547	5,185,678
CBC District VII	0	2,571,893	2,949,145	3,279,605	3,550,580	3,657,038
CBC District VIII	0	1,259,809	1,470,319	1,660,797	2,535,061	2,965,360
CBC Statewide	17,629,116	187,256	06,445	813,465	544,233	88,098
	17,629,116	19,499,027	22,222,072	25,680,405	29,239,847	31,802,728
Corrections Capital						
FY 90 Corrections Cap				2,000,000		
Corrections Roof Repairs		115,584	115,584			
FY 89 Supplemental Cap.			1,100,000			
	0	115,584	1,215,584	2,000,000	0	0
Corrections, Dept. of	73,541,955	77,921,550	86,022,163	100,136,284	109,114,383	115,281,733
Judicial Branch						
Judicial Branch	52,959,767	57,590,415	62,072,563	66,804,722	72,976,679	73,200,000
Juv. Vict. Restitu.	115,178	115,000	115,000	100,000	100,000	100,000
ICIS Computer			3,400,000		1,500,000	875,000
Child Support Computer				900,000		
Jud Child Support Oper				730,379		
Child Custody Pilot Prog				20,000		
Tort Liability Study	60,000					
Judicial Branch	53,134,945	57,705,415	65,587,563	68,555,101	74,576,679	74,175,000
Parole. Board of						
Parole Board	518.402	536.153	661,943	790.240	796,914	711,805
Operations	113,140,829	120,528,505	133,085,515	147,087,965	160,909,383	165,983,847
Grant and Aid	17,795,722	19,608,917	22,386,607	25,964,940	29,457,247	32,044,013
Capitals	0	115,584	1,215,584	2,000,000	0	0
Standings	256,626	94,054	62,638	69,863	50,640	67,560
Justice System	131,193,177	140,347,060	156,750,344	175,122,768	190,417,270	198,095,420

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Regulation						
Auditor of State						
Auditor - General Office	2,088,499	1,759,018	1,748,124	1,690,630	2,007,603	1,535,083
Campaign Finance Disc.						
Campaign Finance	168,205	179,699	187,649	239,391	262,943	261,794
CFDC Intern			8,100			
Campaign Finance Disc.	168,205	179,699	195,749	239,391	262,943	261,794
Commerce, Department of						
Commerce-Administration		179,820			0	1,347,530
Commerce Administration						
Alcoholic Beverages					0	3,225,542
Alcoholic Bev.-Operations						
Banking Division					0	5,497,769
Banking Division	295,000					
Credit Union Division					0	882,297
Credit Union Division	50,000					
Insurance Division					0	4,077,327
Insurance Division	1,788,788	149,850			0	47,948
Self-Insurance Examiner						
	1,788,788	149,850	0	0	0	4,125,275
Professional Licensing					0	802,431
Professional Licensing	577,121	642,322	100,000			
Utilities Division					0	4,486,259
Utilities Division	125,000					
Commerce, Department of	3,435,909	971,992	100,000	0	0	20,367,103
Employment Serv., Dept.						
Labor Serv.	1,692,028	1,743,423	1,842,860	2,416,447	2,666,863	2,380,304
Industrial Serv.	985,928	1,124,889	1,516,908	1,508,097	1,933,490	1,949,732
Emp. Serv. Operations		93,880				
Employment Serv., Dept.	2,677,956	2,962,192	3,359,768	3,924,544	4,600,361	4,330,036
Inspections and Appeals						
Inspections and Appeals					340,794	534,076
Finance and Services Div.					572,742	450,041
Audits Division					404,645	345,491
Appeals and Fair Hearings					487,046	437,575
Investigations Division					1,761,330	1,496,472
Health Facilities Div.					916,160	789,765
Inspections Division					41,625	44,617
Employment Appeal Board	30,503	30,079	34,782	37,577	419,493	254,996
Foster Care Review Board	132,405	186,178	202,506	316,084		

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Transportation & Safety						
Law Enforcement Academy						
ILEA Operations	745,048	773,501	760,512	884,867	964,554	901,018
Public Defense, Dept. of						
Military Division	3,254,730	3,295,400	3,341,526	3,358,174	3,457,469	3,219,639
Disaster Ser. Div.			0	307,271	320,789	262,938
Vet. Affairs Div.			0	112,720	142,202	131,893
War Orphans Ed. Fund	14,278	15,185	15,185	15,185	8,185	9,767
Armory Maintenance				79,500		
TITLE III			115,977			
Armories			1,394,000			
Public Defense, Dept. of	3,269,008	3,310,585	4,866,688	3,872,850	3,928,645	3,624,237
Public Safety, Dept. of						
Administration	1,836,018	2,013,257	1,970,848	2,105,917	2,408,778	2,190,851
Communications	2,587,576	2,670,064	2,924,122	3,121,543	3,281,241	-26,840
Investigation, DCI	5,010,605	5,231,238	3,692,727	5,094,301	6,535,218	6,309,576
Narcotics Enforce.			1,058,432	2,115,078	2,183,436	2,004,177
Undercover Funds	189,816		0		275,000	249,568
Fire Marshal	1,105,733	1,167,924	1,290,550	1,487,997	1,503,589	1,322,097
Capitol Security	792,389	858,592	1,054,426	1,164,412	1,195,841	1,016,314
ISP D.A.R.E. Project	0				29,544	28,331
Pari-Mutuel Enforce.	236,257	181,273	252,419		0	275,210
AFIS FY91-Gen. Fund			0		504,676	
AFIS FY92-Gen. Fund					0	492,903
Comm. Monitors					25,000	
Black Hawk Fire Trng					25,000	
Law Enf. Intel. Net.					10,000	
Public Safety, Dept. of	11,758,394	12,122,348	12,243,524	15,089,248	17,977,323	13,862,187
Transportation, Dept. of						
General Council	107,880					
Rail and Water	512,120					
Air & Transit					0	395,688
Rail and Air Proj.					0	4,419,888
Transportation, Dept. of	620,000	0	0	0	0	4,815,576
Operations	16,378,172	16,191,249	16,461,539	19,831,780	22,332,661	18,280,460
Grant and Aid	14,278	15,185	15,185	15,185	33,185	4,429,655
Capitals	0	0	1,394,000	0	504,676	492,903
Transportation & Safety	16,392,450	16,206,434	17,870,724	19,846,965	22,870,522	23,203,018

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Unassigned Standings						
Cultural Affairs, Dept. Commun. Network Standing				2,142,621	0	2,799,623
Education. Department of Trans of Nonpublic Pupils	6,098,910	5,922.21 1	5,990,351	6,118,766	6,258,072	5,904,027
Child Development				1,045,700	8,700,000	10,632,897
Educational Excellence		92,007,985	92,007,985	92,007,985	91,662,500	91,479,251
Instructional Support					0	12,023,608
K-12 Enrollment Advances						6,687,210
School Foundation Aid	761,140,804	813,772,205	872,099,208	957,415,323	1,054,633,104	1,082,224,098
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Education. Department of	767,239,714	911,702,401	970,097,544	1,056,587,774	1,161,253,676	1,213,951,091
Employment Serv.. Dept. Workers Comp. Peace Office	10,716	26.167	0	0	187	
Executive Council Management, Dept. of Public Improvements Performance of Duty	42,443 496,271	52.447 990.089	63,439 1,362,685	57,641 2,863,176	28,162 2,052,768	426,534
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	538,714	1,042,536	1,426,124	2,920,817	2,080,930	426,534
Revenue and Finance. Dept Court Costs	84,073	112.131	78,093	81,793	48,019	192,826
Habeas Corpus Fees	94,195	39.884	18,327	5,339	1,472	23,973
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	178,268	152.0 15	96,420	87,132	49,491	216,799
Executive Council	716,982	1,194,551	1,522,544	3,007,949	2,130,421	643,333
Legislative Branch House of Representatives House Of Representatives	4,440,077	4,241,575	5,058,713	5,193,507	5,887,219	-15,394
Senate Senate	2,610,635	2,647,592	3,209,632	3,341,446	3,917,764	-9,142
Joint Expenses Joint Expenses	192.601	111.612	1,131,058	965.131	780,097	16,714,027
Citizens' Aide Citizens' Aide	275,804	389,193	431,737	443,549	519,330	-1,362
Leg. Computer Support Legislative Computer Supp	802.965	899.663	1,170,024	1,182,798	1,230,278	-3,099
Legislative Fiscal Bureau Legislative Fiscal Bureau	693,323	962,955	1,095,660	1,263,685	1,306,817	-3,081
Legislative Service Bur. Leg. Service Bureau	2,383,679	2,208,197	2,829,945	2,542,974	3,230,514	-7,361

Legislative Fiscal Bureau

General Fund Appropriations
July 20, 1992 @ 14:23

	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Unassigned Standings						
Legislative Branch						
Admin. Rules Review Comm.						
Admin. Rules Review	52,161	54,444	54,381	60,423	66,890	-151
Legislative Branch	11,451,325	11,515,231	14,981,150	14,993,513	16,938,909	16,674,437
Governor						
Interstate Extradition	3,855	4,972	504	1,732	2,182	3,836
Presidential Electors	0	0	400		0	
Governor	3,855	4,972	904	1,732	2,182	3,836
Management, Department of						
Appeal Board Standing	2,449,041	3,686,156	3,327,558	3,498,548	4,839,632	3,868,242
Personnel, Department of						
Personnel, Department of						
Worker's Compensation	3,091,067	3,094,778	3,875,318	5,202,291	5,501,250	6,307,094
IDQP-Retirement						
IPERS-Legislative Buy-In	86,609	21,062	87,774	6,427	44,642	
Teachers Retire. Benefits	163,166					
IPERS 30 Vr. Inc. Benefit	5,662					
IPERS PS/MS Inc. Benefits	4,423,123					
	4,678,560	21,062	87,774	6,427	44,642	0
Personnel, Department of	7,769,627	3,115,840	3,963,092	5,208,718	5,545,892	6,307,094
Public Defense, Dept. of						
Compensation & Expense	38,445	19,567	195,420	134,694	191,109	30,359
Regents, Board of						
ISU Livestock Disease	300,000	299,700	300,000	299,969	300,000	279,114
ISD Clothing & Trans.	3,952	3,045	0	2,417	2,467	
ISD Tuition & Trans.	0	5,538	8,592	8,864	12,697	
IBSSS Clothing & Trans.	457	116	414	344	344	
Excess Quota Patients	83					
Regents, Board of	304,492	308,399	309,006	311,594	315,508	279,114
Revenue & Finance, Dept.						
Ag Land Tax Credit	43,500,000	43,456,500	43,495,373	43,494,656	43,500,000	41,398,384
Property Tax Replacement			67,730,090	67,736,351	67,737,000	59,921,177
Printing Cigarette Stamps	125,553	119,645	104,278	107,399	92,374	120,949
Homestead Tax Credit Aid	93,054,430	93,269,917	95,193,450	97,366,122	101,462,525	99,606,372
Extraordinary Prop. Tax	10,033,169	9,923,753	9,666,569	11,445,532	10,426,309	11,420,532
Peace Officer Retirement	3,200,354	3,378,487	3,551,662	3,698,339	3,797,351	3,070,249
Unemployment Compensation	449,905	1,366,720	390,162	248,502	262,749	1,319,125
Machinery & Computer Tax	20,584,805	17,107,187	12,252,756	9,545,900	7,775,760	
Franchise Tax Reimburse	0		8,279,925	9,655,256	10,906,472	9,303,785
Military Service Tax	0		3,111,375	3,061,440	3,014,328	2,961,502

Legislative Fiscal Bureau

General Fund Appropriations
July 20, 1992 @ 14:23

	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Unassigned Standings						
Revenue & Finance, Dept.						
Mental Health Prop Tax					0	10,032,637
County Assistance	3,195,236	5,291,203				
Municipal Assistance	14,502,280	14,488,996				
Pers Prop Tax Rep. Lvstk	8,000,000	7,992,000				
Pers. Prop. Tax Replace.	50,000,000	57,441,000	32,497,716			
Waterloo Greyhound Refund			579,878			
Revenue & Finance, Dept.	246,725,732	253,835,408	276,853,234	246,359,497	248,974,868	239,154,712
Secretary of State						
Iowa Servicemens Ballot	2,134	2,346	756	2,541	0	2,468
Constitutional Amendments	2,706	0	0		1,121	
Secretary of State	4,840	2,346	756	2,541	1,121	2,468
Transportation, Dept. of						
Public Transit Assistance					0	6,552,730
Treasurer of State						
Unclaimed Fee Refunds - T	607	426	0		0	
TRANS Note Proceeds					471,573	5,478,442
Moneys & Credits Repl Fnd	2,475,000	1,473,525				
Treasurer of State	2,475,607	1,473,951	0	0	471,573	5,478,442
Standings	1,039,190,376	1,186,884,989	1,271,251,208	1,332,249,181	1,440,665,078	1,495,753,481
Unassigned Standings	1,039,190,376	1,186,884,989	1,271,251,208	1,332,249,181	1,440,665,078	1,495,753,481

General Fund Appropriations
July 20, 1992 @ 14:23

	Actual FY 1987	Actual FY 1988	Actual FY 1989	Actual FY 1990	Actual FY 1991	Est Net Appr FY 1992
Capital Projects						
Cultural Affairs Capital						
Historical Capitals			600,000		0	
Gardner Cabin Land Purch.	41,700					
Haverhill Blacksmith Shop	30,000					
Cultural Affairs Capital	71,700	0	600,000	0	0	0
General Services Capital						
Capitol Renovation			8,670,000	1,700,000	1,000,000	
Human Services Capital						
Major Maint. & Capital			2,800,000			
Natural Resources Capital						
Marine Fuel Tax Capitals					0	2,513,008
Regents Capital						
ISU-Livestock Units			0	595,970	856.124	
UNI-Library Addition FY90				124,000		
SUI-Undergrad Bldg Plan				1,000,000		
UNI-Wright hall Remodel				81,000		
UNI-Classroom/Office Equi				700,000		
SUI-MacLean Hall Remodel				561,625		
ISU-Gilman Hall Remodel				188,000		
Regents Capitals		10,000,000	2,350,000	1,000,000		
SUI-Pharmacy Bldg Add				1,320,000		
Regents Capital	0	10,000,000	2,350,000	5,570,595	856.124	0
Operations	0	10,000,000	2,350,000	3,654,625	0	0
Capitals	71,700	0	12,070,000	3,615,970	1,856,124	2,513,008
Capital Projects	71,700	10,000,000	14,420,000	7,270,595	1,856,124	2,513,008

Legislative Fiscal Bureau

General Fund Appropriations
July 16, 1992 @ 14:21

	Adj Leg Act FY 1992	ATE FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1993
	=====	=====	=====	=====	=====	=====
Administration	50,785,008	-2,076,894	-1,203,933	0	3,100,000	50,604,181
Agriculture & Natural Res	45,514,565	-1,865,582	-714,523	0	-288,000	42,646,460
Economic Development	31,558,989	-1,289,301	-217,278	0	-2,611,000	27,441,410
Education	690,376,376	-28,112,646	-15,998,593	0	11,199	646,276,336
Health & Human Rights	40,687,560	-1,668,787	-505,898	0	0	38,512,875
Human Services	618,920,397	-24,234,939	-13,847,138	40,437,523	8,379,726	629,655,569
Justice System	205,741,493	-5,120,866	-3,392,539	122,496	744,836	198,095,420
Regulation	52,106,516	-2,113,988	-1,150,990	50,000	2,797,774	51,689,312
Transportation & Safety	28,814,838	-1,190,767	-796,903	-3,039,150	-585,000	23,203,018
Unassigned Standings	1,597,925,452	-58,803,362	-2,003,497	-40,980,739	-384,373	1,495,753,481
Capital Projects	2,620,568	-107,560	0	0	0	2,513,008
Total Appropriations	3,365,051,762	-126,584,692	-39,831,292	-3,409,870	11,165,162	3,206,391,070
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Operations	1,122,726,332	-42,283,862	-30,916,723	-1,950,030	3,829,903	1,051,405,620
Grant and Aid	594,803,205	-23,479,977	-6,911,072	39,520,899	8,007,199	611,940,254
All Capitals	3,134,568	-128,657	0	0	0	3,005,911
All Standings	1,644,387,657	-60,692,196	-2,003,497	-40,980,739	-671,940	1,540,039,285
Total Appropriations	3,365,051,762	-126,584,692	-39,831,292	-3,409,870	11,165,162	3,206,391,070
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Column Explanations:

Adj Leg Act FY 1992 - the budget as passed, adjusted for item vetoes and revised estimates of standing unlimited appropriations.

ATB FY 1992 - combination of the three across-the-board reductions; 3.25% and .62% by Executive Order and the \$2.6 million reduction passed by the Legislature and signed by the Governor.

Imp Veto/RIF FY 1992 - deappropriation of anticipated forced reversions due to the Governor's veto of intent language and the savings due to reduction in force (RIF).

S.F. 2116 FY 1992 - the deappropriations and supplementals contained in S.F. 2116.

S.F. 2367 FY 1992 - the deappropriations and supplementals contained in S.F. 2367.

Est Net Appr FY 1993 - the estimated expenditures for FY 1993.

Legislative Fiscal Bureau

General Fund Appropriations
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	Adj Leg Act FY 1992	ATB FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1992
Administration						
Executive Council						
General Office	41.855	-1,718				40.137
Legislative Branch						
House of Representatives						
NCSL	75.848	-185				75.663
Joint Expenses						
Claims for Var. Persons	581	- 1				580
Uniform State Laws						
Uniform State Laws	17.545	-43				17.502
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Legislative Branch	93.974	-229	0	0	0	93,745
General Services, Dept.						
Gen Services Admin.	587.133	-24.035	-26.418			536,680
Communications	169.305	-6.948				162,357
Information Services Div.	6,861,332	-281,119	-207,167			6,373,046
Property Management	3,793,295	-155,194	-206,622			3,431,479
Printing/Mail	482.134	-19,787	-664			461,683
Capitol Planning Comm.	1.480	-60				1,420
Rental Space	544.000	-22.328				521,672
Utilities	1,816,740	-74,567				1,742,173
State Salary Book Print	4,950	-173				4,777
Materials Management	86,583	-3,553	-667			82,363
Records Management	407,208	-16.621	-38.033			352,554
fire Safety	67,000	-2,750				64,250
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General Services, Dept. . .	14,821,160	-607.135	-479.571	0	0	13,734,454
Governor						
Terrace Hill	175,000	-7.160	-6,400			161,432
General Office	993,462	-40.871				952,591
Expense of Office	2,850	-118				2,732
Terrace Hill Quarters	94,493	-3,878				90.615
Ad Hoc Committee Expense	1,900	-78				1,822
Admin. Rules Coordinator	96,900	-3,977				92.923
National Governor's Assoc	80,985	-3,324				77.661
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Governor	1,445,590	-59.414	-6,400	0	0	1,379,776
Gov. Sub. Abuse Coord.						
Drug Enf. Ab. Prev. Coord	159,596	-6,533	-7,181			145,882
Cedar Rapids Subs Ab Cntr	38,000	-1,560				36,440
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Gov. Sub. Abuse Coord.	197,596	-8,093	-7,181	0	0	182,322
Governor. Lieutenant						
Lt Governor - Legislative	40,000	-1,547				30,453
Management, Department Of						
Management-General Office	1,574,880	-64.641				1,510,239

Legislative Fiscal Bureau

General Fund Appropriations
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	Adj Leg Act FY 1992	ATB FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1992
Administration						
Management, Department of						
Council of State Govts.	69,600	-2,857				66,743
Law Enforcement Training	116,850	-4,797				112,053
Indian Settlement Officer	24,255	-995				23,260
Salary Adjustment					3,100,000	3,100,000
Management, Department of	1,785,585	-73,290	0	0	3,100,000	4,812,295
Personnel, Department of						
Administration	1,161,871	-47,689				1,114,182
Field Services	1,328,624	-54,533				1,274,091
Program Management	1,101,552	-45,213				1,056,339
Compen. & Benefits	140,707	-5,779				135,008
Personnel, Department of	3,732,834	-153,214	0	0	0	3,579,620
Revenue & Finance, Dept.						
Administration	1,033,213	-42,408				990,805
Audit and Compliance	10,825,147	-444,417	-573,385			9,007,345
Financial Management	6,750,450	-276,875	-80,735			6,392,840
Information Services	2,006,656	-82,301	-25,200			1,899,075
Local Gov't Service	1,383,566	-56,700				1,326,778
Technical Services	2,172,978	-89,023	-31,381			2,052,574
Insurance Trust	350,000	-14,366				335,634
Security Deposit	500,000	-20,523				479,477
Sales Tax Fees & Cost	50,000	-2,052				47,948
DRF - Additional Approp.	164,000	-5,330				158,670
Revenue & Finance, Dept.	25,236,010	-1,034,083	-710,781	0	0	23,491,146
Secretary of State						
Secretary of State	2,123,450	-87,156				2,036,294
State-Federal Relations						
General Office	220,340	-9,044				211,296
Treasurer of State						
Treasurer-General Office	791,614	-32,491				759,123
Iowa Special Olympics	5,000	-175				4,825
World Food Prize	250,000	-9,305				240,695
Treasurer of State	1,046,614	-41,971	0	0	0	1,004,643
Operations	50,705,803	-2,073,674	-1,203,933	0	3,100,000	50,528,196
Grant and Aid	50,000	-2,052	0	0	0	47,948
Standings	29,205	-1,168	0	0	0	28,037
Administration	50,785,008	-2,076,894	-1,203,933	0	3,100,000	50,604,181

General Fund Appropriations
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	Adj Leg Act FY 1992	ATB FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1992
Agriculture & Natural Res						
Ag. & Land Stewardship						
Ag and Land Stewardship						
Administrative Division	1,085,919	-44,571				1,041,348
Ag Marketing Bureau	911,000	-37,392				873,608
Farmer's Market Coupon	198,333	-8,141				190,192
Regulatory Division	3,879,715	-159,242				3,720,473
Pseudorabies Eradication	400,000	-16,418				383,582
Laboratory Division	727,274	-29,850				697,424
Lamb and Wool Promotion	200,000	-8,209				191,791
Interstate Grain Compact	60,000	-2,092				57,908
Soil Conservation Div.	5,132,428	-210,659				4,921,769
Soil Cons Cost Share	6,439,972	-263,270	-250,000			5,926,702
	19,034,641	-779,844	-250,000	0	0	18,004,797
Trust Fund Replacements						
Commercial Feed - Admin	56,367	-2,314				54,053
Commercial Feed - Lab	691,675	-28,389				663,286
Fertilizer - Admin	56,367	-2,314				54,053
Fertilizer - Laboratory	785,397	-32,236				753,161
Dairy Trade Prac - Admin	101,183	-4,152				97,031
Pesticide - Laboratory	1,140,208	-46,801				1,093,407
Milk Fund - Regulatory	645,901	-26,511				619,390
	3,477,098	-142,717	0	0	0	3,334,381
Ag. & Land Stewardship	22,511,739	-922,561	-250,000	0	0	21,339,178
Natural Resources, Dept.						
REAP Appropriation	0,400,000	-344,775			-280,000	7,767,225
Energy Research Standing	150,000	-6,157				143,843
Reimbursement To USGS	185,983	-7,633				178,350
Green Thumb Program	254,000	-10,351	-30,858			212,791
Director's Office	55,893	-2,295				53,598
Coordination & Info	725,672	-29,726	-24,342			671,604
Administrative Services	1,588,181	-65,013	-71,957			1,451,211
Parks & Preserves	5,377,899	-220,306	-176,890			4,980,703
Forestry	1,617,265	-66,170	-86,729			1,464,366
Energy & Geology	1,323,941	-54,249	-38,004			1,231,688
Environmental Protection	1,973,992	-80,935	-35,743			1,857,314
Non-SF546 Marine Fuel Tax	750,000	-30,704				719,296
Marine Fuel GF to Parks	450,000	-18,470				431,530
MFT GF to Fish & Game	150,000	-6,157				143,843
Natural Resources, Dept.	23,002,826	-943,021	-464,523	0	-208,000	21,307,282
Operations	29,374,593	-1,204,178	-464,523	0	0	27,705,892
Grant and Aid	7,589,972	-310,472	-250,000	0	0	7,029,500
Standings	8,550,000	-350,932	0	0	-288,000	7,911,068
Agriculture & Natural Res	45,514,565	-1,865,582	-714,523	0	-288,000	42,646,460

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General Fund Appropriations
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	Adj Leg Act FY 1992	ATB FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1992
Economic Development						
Economic Devel.. Dept. of Administrative Services						
General Administration	878,350	-36,036	-6,300			836.0 14
Information Mgmt.	350,000	-14,349	-7,050			320.60 1
Film Office	190,000	-7,796	-900			181,304
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	1,418,350	-58,181	-14,250	0	0	1,345,919
Business Development						
Business Development	3,000,000	-123,134	-23,424		-575,000	2,278,442
Small Business Program	235,000	-9,589				225.41 1
Procurement Office	100,000	-4,105				95,895
Business Assist. Centers	768,000	-31,439	-34.173			702.388
Business/Rural Incubators	80,000	-3,284				76.716
Targeted Small Business	50,000	-2,052				47,948
Comm. Econ. Betterment	3,760,000	-154,328			-220,000	3,385,672
Microenterprise Develop	720,000	-29,552			-55,000	635,448
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	8,713,000	-357,483	-57,597	0	-850,000	7,447,920
Community & Rural Develop						
Community Progress	467,350	-19,183				440.167
Mainstreet/Rural Main St.	365,000	-14,982				350,018
COG Assistance	300,000	-12,314				287,686
Rural Development Prog.	740,000	-30,353	-8.256			701.391
Community Dev Block Grant	320,855	-13,110				307,685
Rural Community 2000	1,600,000	-65,672			-1,266,000	260,328
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	3,793,205	-155,674	-8,256	0	-1,266,000	2,363,275
International Division						
International Trade	550,000	-22,498				527,502
European Trade Office	285,000	-9,995	-31,387			243.618
Asian Trade Office	255,000	-10,461				244,533
Japan Trade Office	300,000	-12,314				287,686
Export Trade Asst. Prog.	350,000	-14,356	-4,000			331,644
Ag Products Adv Council	4,000	-164				3,836
Partner State Program	100,000	-3,486				96,514
Peace Institute	100,000	-4,105				95,895
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	1,944,000	-77,385	-35,387	0	0	1,831,228
Tourism Division						
Tourism Operations	745,000	-30,487	-37,958			676,555
Tourism Advertising	2,540,000	-104,254				2,435,746
Welcome Center Program	350,000	-14,366				335,634
Mississippi River Parkway	19,000	-781				18,219
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	3,654,000	-149,888	-37,958	0	0	3,466,154
Workforce Development Div						
Youth Work Force Conserv.	1,261,614	-51,711				1,209,903
Iowa Corps	107,500	-4,413	-29.161			73,926
Small Business New Jobs					-490,000	-490,000

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	Adj Leg Act FY 1992	ATB FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1992
Economic Development						
Economic Oevel.. Dept. of						
Workforce Development Div						
Job Retraining Program	1,000,000	-40,960	-34.669		-5,000	919.37 1
Workforce Investment Prog	1,000,000	-41,045				958,955
Labor Management Councils	202,320	-8.303				194.017
	3,571,434	-146.432	-63.830	0	-495,000	2,866,172
Iowa Finance Authority						
Housing Improvement Fund	2,800,000	-114.924				2,685,076
INTERNET						
INTERNET	515,000	-17.953				497.047
Wallace Foundation						
Wallace Foundation	2,660,000	-117.723				2,542,277
Iowa Product Development						
Iowa Product Development	1,000,000	-32.500				967,500
Economic Devel.. Dept. of	30,068,989	-1,228,143	-217,278	0	-2,611,000	26,012,568
Regents, Board of						
Iowa State University						
Institute for Phys. Res.	300,000	-12.314				287,686
Special Prog. & Projects						
ISU Small Bus. Center	1,190,000	-48.844				1,141,156
Regents. Board of	1,490,000	-61,158	0	0	0	1,428,842
Operations	31,238,134	-1,276,131	-217,278	0	-2,611,000	27,133,725
Grant and Aid	320,855	-13,170	0	0	0	307,685
Economic Development	31,558,989	-1,289,301	-217,278	0	-2,611,000	27,441,410

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Education						
College Aid Commission						
Operations and Loan Prog.						
Scholarship & Grant Admin	346,000	-14,201				331,799
Osteopathic Univ - Grants	400,000	-13,944				386,056
Osteopathic Univ - Admin.	430,000	-17,650				412,350
Student Aid Programs	1,866,112	-76,595				1,789,517
National Guard Loan Repay	225,000	-9,107				215,893
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	3,267,112	-131,497	0	0	0	3,135,615
Standing Loan & Grant Prg						
Tuition Grant Standing	32,480,000	-1,333,133				31,146,867
Scholarship Prog Standing	813,000	-33,370				779,630
Voc. Tech. Grant Standing	1,315,000	-53,975				1,261,025
Work-Study Prog. Standing	3,085,000	-108,458				2,976,542
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	37,693,000	-1,528,936	0	0	0	36,164,064
College Aid Commission						
	40,960,112	-1,660,433	0	0	0	39,299,679
Cultural Affairs. Dept.						
Iowa Arts Council	1,167,000	-47,845	-22,900			1,096,255
State Historical Society	2,653,000	-100,672	-90,700			2,453,548
Cultural Affairs - Admin	427,000	-17,401	-18,608			390,911
Cultural Grants	784,000	-32,179				751,821
Town Square	66,000	-2,709				
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Cultural Affairs. Dept.	5,097,000	-200,086	-132,200	0	0	4,755,026
Education, Department of Administration						
DE Administration	5,562,266	-227,759	-223,052			5,110,655
Vocational Ed. Admin.	868,000	-35,552	-30,736			801,712
State Library.	2,179,000	-89,351	-35,162			2,054,407
Board of Ed' Examiners	128,000	-5,245	-3,711			110,044
Regional Library System	1,607,000	-56,019				1,550,981
Iowa Public Television	6,365,000	-260,869	-157,237			5,946,894
Vocational Rehab.	3,600,000	-150,820	-99,580			3,439,584
Independent Living	21,303	-074				20,429
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	20,410,569	-026,497	-540,286	0	0	19,043,786
Grants & State Aid						
Corrections Education	2,120,000	-87,015				2,032,985
Vocational Ed. Secondary	3,666,666	-124,363				3,542,303
School Food Service	3,056,205	-125,442				2,930,763
Textbook Nonpubllc Sch	600,000	-24,627				575,373
Voc Ag. Youth Org.	39,000	-1,360				37,640
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	9,481,871	-362,807	0	0	0	9,119,064
Community College						
CC - General Aid	91,272,564	-3,746,256				87,526,300

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Education						
Education, Department of						
Community College						
CC - 4th Quarter Aid	14,809,862	-481,321				14,328,541
CC - Property Tax Repl	1,182,852	-47,719				1,135,133
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	107,265,278	-4,275,296	0	0	0	102,989,982
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Education, Department of	137,157,718	-5,464,600	-540,286	0	0	131,152,832
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Regents, Board of						
Board Office Operations						
Regents Board Office	1,111,820	-45,636				1,066,184
Tuition Replacement	19,231,162	-789,338				18,441,824
Southwest Iowa Grad. Cntr	37,000	-1,519				35,481
Tri State Graduate Center	71,000	-2,476				68,524
Quad Cities Graduate Cntr	150,000	-6,157				143,843
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	20,600,982	-845,126	0	0	0	19,755,856
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University of Iowa						
Univ. of Iowa - General	179,503,448	-7,353,960	-5,656,475			166,493,013
SUI Indigent Patient	28,861,586	-1,183,250	-563,002			27,114,534
SUI Psychiatric Hospital	6,912,441	-283,306	-170,640			6,458,495
SUI Hospital School	5,477,339	-224,416	-165,485			5,087,438
SUI Oakdale Campus	2,870,775	-117,528	-124,156			2,629,091
SUI Hygienic Lab	3,036,941	-124,366	-117,492			2,795,083
SUI Family Practice Prog	1,825,278	-74,745	-71,415			1,679,118
SCHS - Hemophilia, Cancer	437,298	-17,899	-20,293			399,106
SUI Ag Health And Safety	246,093	-10,101				235,992
SUI Statewide Tumor Regis	187,691	-7,704				179,987
SUI Child Care	60,000	-2,463				57,537
SUI Sub. Abuse Consortium	60,000	-2,463				57,537
SUI Cntr for Biocatalysis	300,000	-12,314				287,686
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	229,778,890	-9,414,515	-6,889,758	0	0	213,474,617
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Iowa State University						
Iowa State Univ- General	146,003,742	-5,981,981	-4,415,858			135,605,903
ISU Ag Experiment	18,165,260	-753,581	-545,095			16,865,784
ISU Coop Extension	17,117,008	-701,294	-523,527			15,892,187
ISU Fire Service Inst.	410,836	-16,862				393,974
ISU Leopold Center	592,224	-24,307				567,917
ISU Child Care	60,000	-2,463				57,537
ISU Comp Ag. Research	3,948,492	-152,749				3,795,743
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	186,297,562	-7,633,237	-5,485,280	0	0	173,179,045
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Univ. of Northern Iowa						
UNI - General	60,933,927	-2,494,505	-2,686,857			55,752,565
UNI Child Care	60,000	-2,463				57,537
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	60,993,927	-2,496,968	-2,686,857	0	0	55,810,102

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Health & Human Rights						
Blind, Iowa Comm. For The Department For The Blind	1,418,576	-58,174	-21,377			1,339,025
Civil Rights Commission						
General Office	1,031,421	-42,233	-41,786			947,402
Elder Affairs, Department						
State Administration	429,519	-17,575	-22,273			389,671
Area Agencies on Aging	165,000	-6,773				158,227
Elderly Services Program	1,459,681	-59,913				1,399,768
Retired Iowan Employment	104,000	-4,268				99,732
Alzheimer's Disease	75,000	-3,079				71,921
RSVP Projects	73,000	-2,997				70,003
Care Review Comm Coord	120,000	-4,925				115,075
Elder Affairs, Department	2,426,200	-99,530	-22,273	0	0	2,304,397
Health, Dept. of Public						
Administration & Support	747,278	-30,493	-74,030			642,755
Professional Licensure	597,705	-24,536				573,249
Office of Rural Health	134,536	-5,521				129,015
EMS Training	975,473	-39,974	-26,287			909,212
Policy & Planning	410,852	-16,810	-22,408			371,634
Health Data Commission	300,000	-12,314				287,686
Health Protection	2,407,574	-98,636	-75,223			2,233,715
Substance Abuse	497,225	-20,247	-66,745			410,233
Sub Abuse Prog Grants	8,472,000	-347,730				8,124,270
Sub Abuse Aftercare Svcs	200,000	-8,209				191,791
Family & Community Health	4,347,820	-178,271	-76,034			4,093,515
SIDS Autopsies	10,000	-411				9,589
Public Health Nursing	2,596,249	-106,562				2,489,687
Homemaker-Home Hlth Aide	8,875,159	-364,279				8,510,880
Well Elderly Clinics	605,000	-24,032				580,168
Physician Care for Kids	425,000	-17,445				407,555
Primary & Prevent Health	135,000	-5,542				129,458
Dental Examiners	214,931	-0,821				206,110
Medical Examiners	926,539	-37,991	-15,884			872,664
Nursing Examiners	754,058	-30,950				723,100
Pharmacy Examiners	588,855	-24,169				564,686
Health, Dept. of Public	34,221,334	-1,403,743	-356,611	0	0	32,460,980
Human Rights, Dept. of						
Administration	245,106	-10,012	-19,964			215,130
Community Action Agencies	3,644	-150				3,494
Deaf Services	295,794	-12,089	-21,156			262,549
Persons With Disabilities	180,853	-7,401	-9,213			164,239
Latino Affairs	89,887	-3,689				86,198
Status of Women	344,350	-14,134				330,224
Status of African Am.	78,581	-3,225				75,356

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Health & Human Rights						
Human Rights, Dept. of						
Criminal & Juvenile Just.	351,806	-14,407	-13,518			323,881
Human Rights, Dept. of	1,590,029	-65,107	-63,851	0	0	1,461,071
Operations	15,962,462	-654,013	-479,611	0	0	14,828,838
Grant and Aid	24,725,098	-1,014,774	-26,287	0	0	23,684,037
Health & Human Rights	40,687,560	-1,668,787	-505,898	0	0	38,512,875

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Human Services						
Human Services, Dept. of Economic Assistance						
Aid to Dependent Children	41,624,199	-1,637,554		4,306,161	284,768	44,577,574
Emergency Assistance	500,000	-21,675		375,000		
Promise Jobs	4,232,610	-163,802				4,068,808
Aid to Native Americans	38,000	-1,560				36,440
Child Support Recoveries	3,134,277	-128,546	-41,021			2,964,710
	49,529,086	-1,953,137	-41,021	4,681,161	284,768	52,500,857
Medical Services						
Medical Assistance	236,771,049	-9,290,794	-1,152,000	20,605,610	7,595,735	254,529,600
Medical Contracts	4,050,000	-158,565		295,104	26,940	4,213,479
State Supplementary Asst.	18,605,530	-726,963	-595,530	1,117,613	122,283	18,522,933
MH/MR/DD Serv--Med Asst.	2,545,911	-98,527				2,447,384
	261,972,490	-10,274,849	-1,747,530	22,018,327	7,744,958	279,713,396
Juvenile Institutions						
Toledo Juvenile Home	4,703,508	-182,026	-128,771			4,392,711
Eldora Training School	8,070,507	-312,328	-240,829			7,517,350
	12,774,015	-494,354	-369,600	0	0	11,910,061
Helping Childr & Families						
Foster Care	53,674,434	-2,148,660	-2,905,810	11,525,652	302,453	60,448,069
Home Based Services	19,680,002	-763,397	-265,099	287,332		18,938,838
Child Protection	561,500	-23,047				538,453
Transitional Child Care	323,311	-12,578	-9,186	10,508	2,070	314,125
Community Based Services	3,224,421	-129,541	-39,622	767,036		3,822,294
Ct Ordered Serv Juvenile.	4,013,271	-155,313	-258,271			3,599,607
Child Care Services	7,104,072	-276,359		230,083	45,477	7,104,073
	88,581,011	-3,508,895	-3,477,988	12,821,411	350,000	94,765,539
Veterans Home'						
Marshalltown Vet Home	29,722,461	-1,150,259	-1,396,958			27,175,244
Mental Health Institution						
Cherokee Mental Health	14,928,541	-578,718		158,485		14,508,308
Clarinda Mental Health	7,638,209	-295,599	-977,595			6,365,015
Independence Mental Hlth	16,005,884	-624,128		758,139		16,139,895
Mt Pleasant Mental Health	9,260,073	-358,364	-2,286,261			6,615,448
	47,832,707	-1,856,809	-3,263,856	916,624	0	43,628,666
State Hospital-Schools						
Glenwood Hospital-School	39,142,956	-1,514,832	-632,848			36,995,276
Woodward Hospital-School	32,054,985	-1,240,528	-557,080			30,257,377
	71,197,941	-2,755,360	-1,189,928	0	0	67,252,653
Serving Persons MI/MR/DD						
Family Support Subsidy	675,000	-26,123				648,877

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Justice System						
Justice Department						
General Office A.G.	4,416,222	-181.262				4,234,960
Pros. Attor. Training	137,545	-5,646				131,895
Farm Mediation Service	100,000	-4,105				95,895
Farm Legal Assistance	100,000	-4,105				95,895
Victim Assistance Grants	1,400,000	-57,463				1,342,537
Area GASA Pros. Attorney	103,400	-4,245				99,155
Consumer Advocate	2,009,000	-82,459				1,926,541
Justice Department	8,266,167	-339,285	0	0	0	7,926,882
Corrections, Dept. of						
Corr. - Institutions						
Ft. Madison Inst.	21,829,312	-844,795	-226,091		135,342	20,893,768
Anamosa Inst.	16,153,646	-625,146	-132,456		100,153	15,496,197
Oakdale Inst.	13,737,933	-531,658			85,175	13,291,450
Newton Inst.	4,149,032	-160,568	-64,123		25,724	3,372,951
Mt Pleasant Inst.	11,606,136	-449,157	-161,862		71,958	11,067,075
Rockwell City Inst.	3,988,999	-154,374	-464,235		24,732	3,395,122
Clarinda Inst.	5,318,793	-205,038	-81,747		32,977	5,064,185
Mitchellville Inst.	4,760,300	-184,224	-488,191		29,514	4,117,399
Corr. - Central Office	2,141,828	-87,771	-57,390			1,996,667
Central Office	250,000	-10,261			1,546	241,285
Fed Prisoners/Contract	360,000	-14,776			2,227	347,451
Training Center	375,000	-15,391	-824			358,785
Corr. Expansion-Phase I	625,860	-24,346		20,340	4,006	625,860
Corr. Expansion-Phase II	3,143,250	-122,278		102,156	20,122	3,143,250
State Cases - Stdg.	70,000	-2,873			433	67,560
Corr. - Institutions	81,544,151	-3,155,760	-2,195,819	0	505,575	76,698,147
Corr. - Central Office	6,965,938	-277,696	-58,214	122,496	28,334	6,700,858
CBC Districts						
CBC District I	5,628,321	-217,816	-169,818		34,896	5,275,583
CBC District II	3,987,710	-154,325	-137,132		24,724	3,720,977
CBC District III	2,471,347	-95,641	-42,838		15,322	2,348,190
CBC District IV	2,004,154	-77,561	-46,186		12,426	1,892,833
CBC District V	7,163,590	-277,231	-261,802		44,414	6,668,971
CBC District VI	5,594,770	-216,518	-227,262		34,688	5,185,678
CBC District VII	3,908,666	-151,266	-124,596		24,234	3,657,038
CBC District VIII	3,170,622	-122,703	-102,217		19,658	2,965,360
CBC Statewide	91,057	-3,524			565	88,098
CBC Districts	34,020,237	-1,316,585	-1,111,851	0	210,927	31,802,728
Corrections, Dept. of	122,530,326	-4,750,041	-3,365,884	122,496	744,836	115,281,733
Judicial Branch						
Judicial Branch	73,200,000					73,200,000
Juv. Vict. Restitu.	100,000					100,000

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Justice System						
Judicial Branch						
ICIS Computer	875,000					875,000
Judicial Branch	74,175,000	0	0	0	0	74,175,000
Parole, Board of						
Parole Board	770,000	-31,540	-26,655			711,805
Operations	171,401,256	-3,791,147	-2,280,688	122,496	531,930	165,983,847
Grant and Aid	34,270,237	-1,326,846	-1,111,851	0	212,473	32,044,013
Standings	70,000	-2,873	0	0	433	67,560
Justice System	205,741,493	-5,120,866	-3,392,539	122,496	744,836	198,095,420

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Regulation						
Auditor of State						
Auditor - General Office	1,600,787	-65,704				1,535,083
Campaign Finance Disc.						
Campaign Finance	273,000	-11,206				261,794
Commerce, Department of						
Commerce-Administration						
Commerce Administration	1,470,846	-60,217	-63,099			1,347,530
Alcoholic Beverages						
Alcoholic Bev.-Operations	3,456,728	-141,664	-89,522			3,225,542
Banking Division						
Banking Division	5,832,042	-239,144	-95,129			5,497,769
Credit Union Division						
Credit Union Division	954,946	-39,114	-33,535			882,297
Insurance Division						
Insurance Division	4,398,671	-180,201	-141,143			4,077,327
Self-Insurance Examiner	50,000	-2,052				47,948
	4,448,671	-182,253	-141,143	0	0	4,125,275
Professional Licensing						
Professional Licensing	853,541	-34,995	-16,115			802,431
Utilities Division						
Utilities Division	4,843,961	-198,433	-159,269			4,486,259
Commerce, Department of	21,860,735	-895,820	-597,812	0	0	20,367,103
Employment Serv., Dept.						
Labor Serv.	2,574,205	-105,443	-88,458			2,380,304
Industrial Serv.	2,116,185	-86,665	-79,788			1,949,732
Employment Serv., Dept.	4,690,390	-192,108	-168,246	0	0	4,330,036
Inspections and Appeals						
Inspection5 and Appeals						
Finance and Services Div.	578,220	-23,683	-20,461			534,076
Audits Division	650,406	-26,274	-174,091			450,041
Appeals and Fair Hearings	376,861	-15,429	-15,941			345,491
Investigations Division	456,304	-18,729				437,575
Health Facilities Div.	1,612,239	-66,054	-49,713			1,496,472
Inspections Division	913,786	-37,295	-86,726			789,765
Employment Appeal Board	46,527	-1,910				44,617
Foster Care Rrvlew Board	265,910	-10,914				11,299,989
Indigent Defense Approp.	9,401,002	-363,819			2,758,286	
	14,301,255	-564,107	-346,932	0	2,758,286	16,148,502

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Transportation & Safety Law Enforcement Academy ILEA Operations	987,134	-40,406	-45,710			901,018
Public Defense, Dept. of Military Division	3,405,823	-139,678	-46,506			3,219,639
Disaster Ser. Div.	315,399	-12,849	-39,612			262,938
Vet. Affairs Div.	142,340	-5,831	-4,616			131,893
War Orphans Ed. Fund	10,185	-418				9,767
Public Defense, Dept. of	3,873,747	-158,776	-90,734	0	0	3,624,237
Public Safety, Dept. of Administration	2,395,663	-98,071	-106,741			2,190,851
Communications	3,141,241	-128,931		-3,039,150		-26,840
Investigation. DCI	6,954,157	-284,558	-360,023			6,309,576
Narcotics Enforce.	2,148,790	-88,060	-56,553			2,004,177
Undercover Funds	260,250	-10,682				249,568
Fire Marshal	1,427,474	-58,477	-46,900			1,322,097
Capitol Security	1,135,371	-46,426	-72,631			1,026,334
ISP D.A.R.E. Project	29,544	-1,213				275,210
Pari-Mutuel Enforce.	286,989	-11,779				492,903
AFIS FY92-Gen. Fund	514,000	-21,097				
Public Safety, Dept. of	18,293,479	-749,294	-642,848	-3,039,150	0	13,862,187
Transportation. Dept. of Air & Transit	429,932	-16,633	-17,611			395,688
Rail and Air Proj.	5,230,546	-225,658			-585,000	4,419,888
Transportation. Dept. of	5,660,478	-242,291	-17,611	0	-585,000	4,815,576
Operations	23,060,107	-943,594	-796,903	-3,039,150	0	18,280,460
Grant and Aid	5,240,731	-226,076	0	0	-585,000	4,429,655
Capitals	514,000	-21,097	0	0	0	492,903
Transportation & Safety	28,814,838	-1,190,767	-796,903	-3,039,150	-585,000	23,203,018

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General Fund Appropriations
July 16, 1992 @ 14:21

	Adj Leg Act FY 1992	ATB FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1992
	=====	=====	=====	=====	=====	=====
Unassigned Standings						
Cultural Affairs, Dept.						
Commun. Network Standing	5,000,000	-200,377	-2,000,000			2,799,623
Education, Department of						
Trans of Nonpublic Pupils	6,156,729	-252,702				5,904,027
Child Development	11,088,000	-455,103				10,632,897
Educational Excellence	95,398,337	-3,915,589	-3,497			91,479,251
Instructional Support	12,507,654	-404,046				12,023,608
K-12 Enrollment Advances	13,093,487	-425,538		-5,980,739		6,687,210
School Foundation Aid	1,131,077,996	-43,853,898				1,087,224,098
Sch Aid Prop Tax	35,000,000			-35,000,000		
Education, Department of	1,304,322,203	-49,386,876	-3,497	-40,980,739	0	1,213,951,091
Executive Council						
Management, Dept. of						
Performance of Duty	426,534					426,534
Revenue and Finance, Dept						
Court Costs	585,000	-7,801			-384,373	192,826
Habeas Corpus Fees	25,000	-1,027				23,973
	610,000	-8,828	0	0	-384,373	216,799
Executive Council	1,036,534	-8,828	0	0	-384,373	643,333
Legislative Branch						
House of Representatives						
House Of Representatives		-15,394				-15,394
Senate						
Senate		-9,142				-9,142
Joint Expenses						
Joint Expenses	16,715,198	-1,171				16,714,027
Citizens' Aide						
Citizens' Aide		-1,362				-1,362
Leg. Computer Support						
Legislative Computer Supp		-3,099				-3,099
Legislative Fiscal Bureau						
Legislative Fiscal Bureau		-3,081				-3,081
Legislative Service Bur.						
Leg. Service Bureau		-7,361				-7,361

Legislative Fiscal Bureau

General Fund Appropriations
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	Adj Leg Act FY 1992	ATB FY 1992	Imp Veto/RIF FY 1992	S.F. 2116 FY 1992	S.F. 2367 FY 1992	Est Net Appr FY 1992
	=====	=====	=====	=====	=====	=====
Unassigned Standings						
Legislative Branch						
Admin. Rules Review Comm.						
Admin. Rules Review		-151				-151
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Legislative Branch	16,715,198	-40,761	0	0	0	16,674,437
Governor						
Interstate Extradition	4,000	-164				3,836
Management. Department of						
Appeal Board Standing	4,000,000	-131,758				3,868,242
Personnel, Department of						
Worker's Compensation	6,550,000	-242,906				6,307,094
Public Defense, Dept. of						
Compensation & Expense	40,000	-1,641				38,359
Regents, Board of						
ISU Livestock Disease	291,060	-11,946				279,114
Revenue & Finance, Dept.						
Ag Land Tax Credit	43,065,000	-1,666,616				41,398,384
Property Tax Replacement	61,934,033	-2,012,856				59,921,177
Printing Cigarette Stamps	126.126	-5,177				120,949
Homestead Tax Credit Aid	102,960,000	-3,353,628				99,606,372
Extraordinary Prop. Tax	11,880,300	-459,768				11,420,532
Peace Officer Retirement	3,201,660	-131,411				3,070,249
Unemployment Compensation	1,319,125					1,319,125
Franchise Tax Reimburse .	9,702,000	-398,215				9,303,785
Military Service Tax	3,069,000	-107,498				2,961,502
Mental Health Prop Tax	10,395,000	-362,363				10,032,637
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Revenue & Finance, Dept.	247,652,244	-8,497,532	0	0	0	239,154,712
Secretary of State						
Iowa Servicemens Ballot	2,574	-106				2,468
Transportation. Dept. of						
Public Transit Assistance	6,833,197	-280,467				6,552,730
Treasurer of State						
TRANS Note Proceeds	5,478,442					5,478,442
Standings	1,597,925,452	-58,803,362	-2,003,497	-40,980,739	-384,373	1,495,753,481
Unassigned Standings	1,597,925,452	-58,803,362	-2,003,497	-40,980,739	-384,373	1,495,753,481
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Legislative Fiscal Bureau

General Fund Appropriations
July 16, 1992 @ 15:58

	Est Net Appr FV 1992	Final Action FV 1993	Item Veto FV 1993	Antic. Rev. FV 1993	S.F. 2393 FV 1993	Est Net Appr FV 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Administration	50,604,101	169,789,412	-85,909,928	0	96,434,721	100,314,205	
Agriculture & Natural Res	42,646,460	45,073,061	-963,250	-900,000	-1,678,434	41,531,377	
Economic Development	27,441,410	28,943,641	-1,623,550	-175,000	-222,025	26,922,266	
Education	646,276,336	664,170,964	0	-50,000	-14,256,906	649,864,058	
Health & Human Rights	38,512,875	39,607,858	-665,000	0	665,000	39,607,858	
Human Services	629,655,569	690,557,234	-273,458,000	-20,000	276,273,751	693,352,985	
Justice System	198,095,420	211,205,002	-4,165,000	0	-2,341,259	204,698,743	
Regulation	51,689,312	46,029,787	0	0	-1,565,630	44,464,157	
Transportation & Safety	23,203,018	23,873,452	-28,500	0	-1,163,749	22,681,203	
Unassigned Standings	1,495,753,481	1,562,922,922	-1,262,000	0	-25,271,074	1,536,389,848	
Capital Projects	2,513,008	1,540,000	0	0	-77,000	1,463,000	
Total Appropriations	3,206,391,070	3,483,713,333	-368,075,228	-1,145,000	326,796,595	3,441,289,700	
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Bill Totals							
H.F. 2450 IPERS Bill	0	262,000	-262,000	0	0	0	
H.F. 2452 Juv Justice	0	4,268,500	-4,268,500	0	278,500	278,500	
H.F. 2455 Regulation	51,689,312	46,029,787	0	0	-1,565,630	44,464,157	
H.F. 2457 Hlt&HumanRgt	30,512,075	38,942,858	0	0	0	38,942,858	
H.F. 2459,Admin	53,447,943	54,025,048	0	0	-1,552,557	53,272,491	
H.F. 2462 Econ Dev	27,441,410	28,943,641	-1,623,550	-175,000	-26,429,009	26,922,266	
H.F. 2465 Education	730,704,746	751,250,572	0	-50,000	0	724,721,372	
H.F. 2486 Stdg Reduct.	236,385,651	289,576,347	-10,000	0	-12,821,517	276,744,830	
H.F. 2488 Claims Bill	0	8,436	0	0	-422	0,014	
H.F. 2490 Salary Bill	3,100,000	85,909,920	-85,909,928	0	0	0	
H.F. 479 MAS 4th Qtr	14,328,541	16,106,923	0	0	-322,130	15,784,785	
S.F. 2320 School Aid	1,099,247,706	1,195,569,500	-1,000,000	0	0	1,194,569,500	
S.F. 2345 Trans&Safety	22,710,115	23,844,952	0	0	-1,192,249	22,652,703	
S.F. 2347 Ag&Nat'l Res	45,159,468	46,613,061	-963,250	-900,000	-1,755,434	42,994,377	
S.F. 2348 Justice	198,027,860	207,072,277	-100,000	0	-2,414,904	204,557,373	
S.F. 2351 Expen. Limit	4,777	0	0	0	0	0	
S.F. 2355 Human Serv	624,889,466	666,037,234	-273,938,000	-20,000	276,983,751	669,062,985	

Legislative Fiscal Bureau

General Fund Appropriations
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	Est Net Appr FY 1992 =====	Final Action FY 1993 =====	Item Veto FY 1993 =====	Antic. Rev. FY 1993 =====	S.F. 2393 FY 1993 =====	Est Net Appr FY 1993 =====	Bill Num. =====
Operations	1,051,405,620	1,188,924,387	-92,378,003	-225,000	80,558,668	1,176,880,052	
Grant and Aid	611,940,254	684,300,950	-274,435,225	-20,000	272,803,266	682,648,991	
All Capitals	3,005,911	1,540,000	0	0	-77,000	1,463,000	
All Standings	1,540,039,285	1,608,947,996	-1,262,000	-900,000	-26,488,339	1,580,297,657	
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Total Appropriations	3,206,391,070	3,483,713,333	-368,075,228	-1,145,000	326,796,595	3,441,289,700	
	=====	=====	=====	=====	=====	=====	=====

Note:

This document reflects the Governor's recommendation for the Legislature & not the budgets approved by the Legislative Council.

Column Explanations:

Est Net Appr FY 1992 - the estimated expenditures after the across-the-board reductions, supplementals, deappropriations, and revised estimates for standing appropriations.

Final Action FY 1993 - the Final Legislative Action prior to the Special Sessions.

Item Veto FY 1993 - the actual dollar line item vetoes.

Antic. Rev. FY 1993 - the anticipated forced reversions due to the Governor's veto of intent language

S.F. 2393 FY 1993 - the deappropriations and supplementals as passed by the Second Special Session.

Est Net Appt FY 1993 - the estimated expenditures for FY 1993. This total includes the \$1.1 million anticipated reversions but does not include the \$17 million for Disproportionate Share. (See also the Balance Sheet)

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Administration							
Executive Council							
General Office	40,137	0					H2459
Legislative Branch							
House of Representatives							
NCSL	75,663	79,542			-3.977	75.565	H2459
Joint Expenses							
Claims for Var. Persons	580	0					H2459
Uniform State Laws							
Uniform State Laws	17,502	19,280			-964	18.316	H2459
	<u>93,745</u>	<u>98,822</u>	<u>0</u>	<u>0</u>	<u>-4,941</u>	<u>93,881</u>	
Legislative Branch							
General Services, Dept.							
Gen Services Admin.	536,680	463,473			-23.174	440.299	H2459
Communications	162,357	154,471			-7,724	146,747	H2459
Information Services Div.	6,373,046	6,032,484			-301.624	5,730,860	H245.9
Property Management	3,431,479	3,422,992			-171,150	3,251,842	H2459
Printing/Mail	461,683	792,636			-39,632	753,004	H2459
Capitol Planning Comm.	1,420	1,349			-67	1,282	H2459
Rental Space	521,672	549,510			-27.476	522.034	H2459
Utilities	1,742,173	2,000,000			-100,000	1,900,000	H2459
State Salary Book Print	4,777	0					S2351
Materials Management	82,363	0					H2459
Records Management	352,554	0					H2459
Fire Safety	64,250	0					H2459
General Services, Dept.	<u>13,734,454</u>	<u>13,416,915</u>	<u>0</u>	<u>0</u>	<u>-670,847</u>	<u>12,746,068</u>	
Governor							
Terrace Hill	161,432	161,000			-8.050	152.950	H2465
General Office	952,591	941,666			-47.083	894.583	H2459
Expense of Office	2,732	2,597			-130	2.467	H2459
Terrace Hill Quarters	90,615	86,100			-4,305	81.795	H2459
Ad Hoc Committee Expense	1,822	1,731			-87	1.644	H2459
Admin. Rules Coordinator	92,923	88,293			-4.415	88,878	H2459
National Governor's Assoc	77,661	78,353			-3,918		H2459
General Office Supplement		50,000			-2,500	47.500	H2486
Governor	<u>1,379,776</u>	<u>1,409,740</u>	<u>0</u>	<u>0</u>	<u>-70.488</u>	<u>1,339,252</u>	
Gov. Sub. Abuse Coord.							
Drug Enf. Ab. Prev. Coord	145,882	138,657			-6,933	131,724	H2459
Cedar Rapids Subs Ab Cntr	36,440	34,625			-1,731	32,894	H2459
Gov. Sub. Abuse Coord.	<u>182,322</u>	<u>173,282</u>	<u>0</u>	<u>0</u>	<u>-8,664</u>	<u>164,618</u>	
Governor. Lieutenant							
Lt Governor - Legislative	38,453						

Legislative Fiscal Bureau

General Fund Appropriations
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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Administration							
Management. Department of							
Management-General Office	1,510,239	1,474,360			-73,718	1,400,642	H2459
Council of State Govts.	66,743	67,338			-3,367		H2459
Law Enforcement Training	112,053	50,000			-2,500	47,500	H2459
Indian Settlement Officer	23,260	25,000			-1,250	23,750	H2459
Salary Adjustment	3,100,000	85,909,928	-05,909,928				H2490
Sal Adj. - Judges					1,100,000	1,100,000	
Sal Adj. - MAS					2,000,000	2,000,000	
Sal Adj. - Covered					62,900,000	62,900,000	
Sal Adj. - Non-Covered					32,000,000	32,000,000	
GAAP Reduction Fund		28,800,000				28,800,000	H2486
Claim - Eastman Kodak		8,436			-422	8,014	H2486
General Office Supplement		35,000			-1,750	33,250	H2486
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Management. Department of	4,812,295	116,370,062	-85,909,928	0	97,916,993	128,377,127	
Personnel. Department of							
Administration	1,114,182	1,263,554			-63,178	1,200,376	H2459
Field Services	1,274,091	673,838			-33,692	640,146	H2459
Program Management	1,056,339	618,565			-30,928	587,637	H2459
Compen. & Benefits	135,008	802,036			-40,102	761,934	H2459
Workers' Comp. - Now		6,325,000			-316,250	6,008,750	H2459
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Personnel. Department of	3,579,620	9,682,993	0	0	-404,150	9,198,843	
Revenue & Finance, Dept.							
Administration	990,805	1,030,809			-20,616	1,010,193	H2459
Audit and Compliance	9,807,345	10,510,955				10,510,955	H2459
Financial Management	6,392,840	6,941,884				6,941,884	H2459
Information Services	1,899,075	1,918,680				1,918,680	H2459
Local Gov't Service	1,326,778	1,271,700				1,271,700	H2459
Technical Services	2,052,574	2,512,259				2,512,259	H2459
Insurance Trust	335,634	460,000			-23,000	437,000	H2459
Security Deposit	479,477	600,000			-30,000	570,000	H2459
Sales Tax Fees & Cost.	47,948	48,375			-2,419	45,956	H2459
Monroe County Mach. Eqpt.		470,000			-23,500	446,500	H2459
DRF - Additional Approp.	158,670						
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Revenue & Finance. Dept.	23,491,146	25,764,662	0	0	-99,535	25,665,127	
Secretary of State							
Secretary of State	2,036,294	0					H2459
Admin and Elections		445,013			-22,251	422,762	H2459
Business Services		1,489,825			-74,491	1,415,334	H2459
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Secretary of State	2,036,294	1,934,838	0	0	-96,742	1,838,096	
State-Federal Relations							
General Office	211,296	200,768			-10,038	190,730	H2459
Treasurer of State							
Treasurer-General Office	759,123	732,493			-36,625	695,868	H2459
Iowa Special Olympics	4,825	4,837			-242	4,595	H2459

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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Administration							
Treasurer of State							
World Food Prize	240,695	0					H2459
Treasurer of State	1,004,643	737,330	0	0	-36,867	700,463	
Operations	50,528,196	169,246,037	-85,909,928	0	96,461,890	179,797,999	
Grant and Aid	47,948	518,375	0	0	-25,919	492,456	
Standings	28,037	25,000	0	0	-1,250	23,750	
Administration	50,604,181	169,789,412	-85,909,928	0	96,434,721	180,314,205	

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General Fund Appropriations
July 16, 1992 @ 15:58

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Agriculture & Natural Res							
Ag. & Land Stewardship							
Ag and Land Stewardship							
Administrative Division	1,041,348	1,000,544			-50,027	950,517	52347
Ag Marketing Bureau	873,608	776,805			-38,840	737,965	52347
Farmer's Market Coupon	190,192	190,822			-9,541	181,281	52347
Regulatory Division	3,720,473	3,587,025			-179,351	3,407,674	52347
Pseudorabies Eradication	383,582	795,560			-39,778	755,782	52347
Laboratory Division	697,424	670,538			-33,527	637,011	52347
Lamb and Wool Promotion	191,791	192,426	-192,426				52347
Interstate Grain Compact	57,908	61,606			-3,080	58,526	52347
Soil Conservation Div.	4,921,769	4,973,030			-248,652	4,724,378	52347
Soil Cons Cost Share	5,926,702	5,947,480			-297,374		52347
Stream Degredation		99,445	-99,445				52347
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	18,004,797	18,295,281	-291,871	0	-900,170	17,103,240	
Trust Fund Replacements							
Commercial Feed - Admin	54,053	56,157			-2,808	53,349	52347
Commercial Feed - Lab	663,286	705,436			-35,272	670,164	52347
Fertilizer - Admin	54,053	56,157			-2,808	53,349	52347
Fertilizer - Laboratory	753,161	622,674			-31,134	591,540	52347
Dairy Trade Prac - Admin	97,031	69,612			-3,481	66,131	52347
Pesticide - Laboratory	1,093,407	1,189,105			-59,455	1,129,650	52347
Milk Fund - Regulatory	619,390	648,571			-32,429	616,142	52347
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	3,334,381	3,347,712	0	0	-167,387	3,180,325	
Ag. & Land Stewardship	-----	-----	-----	-----	-----	-----	-----
	21,339,178	21,642,993	-291,871	0	-1,067,557	20,283,565	
Natural Resources, Dept							
REAP Appropriation	7,767,225	9,944,500		-900,000	-497,225	8,547,275	52347
Energy Research Stand ng	143,843	0					52347
Reimbursement To USGS	178,350	0					52347
Green Thumb Program	212,791	129,279	-129,279		129,279	129,279	52347
Director's G'ffice	53,598	0					52347
Coordination & Info	671,604	0					52347
Administrative Services	1,451,211	2,058,055			-102,903	1,955,152	52347
Parks & Preserves	4,980,703	5,176,266			-258,813	4,917,453	52347
Forestry	1,464,366	1,390,537			-69,527	1,321,010	52347
Energy & Geology	1,231,688	1,455,711			-72,786	1,382,925	52347
Environmental Protection	1,857,314	2,101,771			-105,089	1,996,682	52347
Non-SF546 Marine Fuel Tax	719,216	198,890			-9,945	188,945	52347
Marine Fuel GF to Parks	431,530	432,959			-21,648	411,311	52347
MFT GF to Fish & Game	143,843	144,320	-144,320				52347

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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Agriculture & Natural Res							
Natural Resources, Dept.							
Black Hawk Lake Dredging		397,780	-397,780		397,780	397,780	S2347
Natural Resources, Dept.	21,307,282	23,430,068	-671,379	-900,000	-610,877	21,247,812	
Operations	27,705,892	27,689,406	-466,025	0	-1,231,892	25,991,489	
Grant and Aid	7,029,500	7,439,155	-497,225	0	50,683	6,992,613	
Standings	7,911,068	9,944,500	0	-900,000	-497,225	8,547,275	
Agriculture & Natural Res	42,646,460	45,073,061	-963,250	-900,000	-1,678,434	41,531,377	

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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Economic Development							
Economic Devel. Dept. of Administrative Services							
General Administration	836,014	789,000			-39,450	749,550	H2462
Information Mgmt.	328,601	361,000			-18,050	342,950	H2462
Film Office	181,304	182,000			-9,100	172,900	H2462
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	1,345,919	1,332,000	0	0	-66,600	1,265,400	
Business Development							
Business Development	2,278,442	2,525,000			-126,250	2,398,750	H2462
Small Business Program	225,411	323,000			-16,150	306,850	H2462
Procurement Office	95,895	96,953			-4,848	92,105	H2462
Business Assist. Centers	702,388	0					H2462
Business/Rural Incubators	76,716	0					H2462
Targeted Small Business	47,948	0					H2462
Comm. Econ. Betterment	3,385,672	0					H2462
Microenterprise Develop	635,448	0					H2462
Strategic Invest Fund		4,075,733			-203,787	3,871,946	H2462
Small Business Invest Co.		200,000			-10,000	190,000	H2462
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	7,447,920	7,220,686	0	0	-361,035	6,859,651	
Community & Rural Develop							
Community Progress	448,167	500,000			-25,000	475,000	H2462
Mainstreet/Rural Main St.	350,018	353,386			-17,669	335,717	H2462
COG Assistance	287,686	187,500			-9,375	178,125	H2462
Rural Development Prog.	701,391	675,000		-75,000	-33,750	566,250	H2462
Community Dev Block Grant	307,685	375,397			-18,770	356,627	H2462
Rural Community 2000	268,328	0					H2462
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	2,363,275	2,091,283	0	-75,000	-104,564	1,911,719	
International Division							
International Trade	521,502	375,000			-18,750	356,250	H2462
Foreign Trade Offices		743,000			-37,150	705,850	H2462
European Trade Office	243,618	0					H2462
Asian Trade Office	244,533	0					H2462
Japan Trade Office	287,686	0					H2462
Export Trade Asst. Prog.	331,644	334,000			-16,700	317,300	H2462
Ag Products Adv Council	3,836	1,400			-70	1,330	H2462
Partner State Program	96,514	0					H2462
Peace Institute	95,895	0					H2462
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	1,831,228	1,453,400	0	0	-72,670	1,380,730	
Tourism Division							
Tourism Operations	676,555	691,586			-34,579	657,007	H2462
Tourism Advertising	2,435,746	2,250,000			-112,500	2,137,500	H2462
Welcome Center Program	335,634	263,625			-13,181	250,444	H2462
Mississippi River Parkway	18,219	0					H2462
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	3,466,154	3,205,211	0	0	-160,260	3,044,951	

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Economic Development							
Economic Devel., Dept. of Workforce Development Div							
Vouth Work Force Conserv.	1,209,903	1,000,000			-50,000	950,000	H2462
Iowa Corps	73,926	0					H2462
Small Business New Jobs	-490,000	0					H2462
Job Retraining Program	919,371	932,831			-46,642	886,189	H2462
Workforce Investment Prog	958,955	500,000			-25,000	475,000	H2462
Labor Management Councils	194,017	195,745			-9,787	185,958	H2462
	2,866,172	2,628,576	0	0	-131,429	2,497,147	
Iowa Finance Authority Housing Improvement Fund	2,685,076	1,623,550	-1,623,550		1,000,000	1,000,000	H2462
INTERNET INTERNET	497,047	828,750			-41,438	787,312	H2462
Wallace Foundation Wallace Foundation	2,542,277	2,900,000		-100,000	-145,000	2,655,000	H2462
Iowa Product Development Iowa Product Development	967,500	887,500			-44,375	843,125	H2462
Economic Devel., Dept. of	26,012,568	24,170,956	-1,623,550	-175,000	-127,371	22,245,035	
Regents, Board of Iowa State University Institute for Phys. Res.	287,686	3,281,360			-65,627	3,215,733	H2462
Special Prog. & Projects SUI Advanced Drug Devel. ISU Small Bus. Center	1,141,156	500,000 991,325			-10,000 -19,827	490,000 971,498	H2462 H2462
	1,141,156	1,491,325	0	0	-29,827	1,461,498	
Regents. Board of	1,428,842	4,772,685	0	0	-95,454	4,677,231	
Operations Grant and Aid	27,133,725 307,685	28,568,244 375,397	-1,623,550 0	-175,000 0	-204,055 -18,770	26,565,639 356,627	
Economic Development	27,441,410	28,943,641	-1,623,550	-175,000	-222,825	26,922,266	

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Education							
College Aid Commission							
Operations and Loan Prog.							
Scholarship & Grant Admin	331,799	333,000			-6,660	326,340	H2465
Osteopathic Univ - Grants	386,056	387,000			-7,740	379,260	H2465
Osteopathic Univ - Admin.	412,350	250,000			-5,000	245,000	H2465
Student Aid Programs	1,789,517	1,500,000			-30,000	1,470,000	H2465
National Guard Loan Repay	215,893	0					H2465
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	3,135,615	2,470,000	0	0	-49,400	2,420,600	
Standing Loan & Grant Prg							
Tuition Grant Standing	31,146,867	31,146,867			-622,937	30,523,930	H2465
Scholarship Prog Standing	779,630	505,882			-10,118	495,764	H2465
Voc. Tech. Grant Standing	1,261,025	1,261,000			-25,220	1,235,780	H2465
Work-Study Prog. Standing	2,976,542	2,958,000			-59,160	2,898,840	H2465
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	36,164,064	35,871,749	0	0	-717,435	35,154,314	
College Aid Commission							
	39,299,679	38,341,749	0	0	-766,835	37,574,914	
Cultural Affairs. Dept.							
Iowa Arts Council	1,096,255	1,047,000			-52,350	994,650	H2465
State Historical Society	2,453,540	2,432,000			-121,600	2,310,400	H2465
Cultural Affairs - Admin	390,911	140,000			-7,000	133,000	H2465
Cultural Grants	751,821	720,000			-36,000	684,000	H2465
Town Square	63,291	0					H2465
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	4,755,826	4,339,000	0	0	-216,950	4,122,050	
Education. Department of Administration							
DE Administration	5,110,655	8,412,000			-420,600	7,991,400	H2465
Vocational Ed. Admin.	801,712	704,000			-35,200	668,800	H2465
State Library	2,054,407	0					H2465
Board of Ed. Examiners	119,044	120,000			-6,000	114,000	H2465
Regional Library System	1,550,981	0					H2465
Iowa Public Television	5,946,894	5,959,000			-297,950	5,661,050	H2465
Vocational Rehab.	3,439,584	3,459,000			-172,950	3,286,050	H2465
Independent Living	20,429	20,611			-1,031	19,580	H2465
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	19,043,786	18,674,611	0	0	-933,731	17,740,880	
Grants & State Aid							
Teacher Salaries		563,953			-28,198	535,755	H2465
Corrections Education	2,032,985	1,948,000			-97,400	1,850,600	H2465
Vocational Ed. Secondary	3,542,303	3,483,000			-174,150	3,308,850	H2465
School Food Service	2,930,763	2,809,000			-140,450	2,668,550	H2465
Textbook Nonpublic Sch	575,373	580,000			-29,000	551,000	H2465
Voc Ag. Youth Org.	37,640	52,000			-2,600	49,400	H2465
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	9,119,064	9,435,953	0	0	-471,798	8,964,155	

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Education							
Education, Department of Community College							
CC - General Aid	87,526,308	90,444,323			-1,808,886	88,635,437	H2465
CC - 4th Quarter Aid	14,328,541	16,106,923			-322,138	15,784,785	H0479
CC - Property Tax Repl	1,135,133	343,308			-6,866	336,442	H2465
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	102,989,982	106,894,554	0	0	-2,137,890	104,756,664	
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Education, Department of	131,152,832	135,005,118	0	0	-3,543,419	131,461,699	
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Regents, Board of							
Board Office Operations							
Regents Board Office	1,066,184	1,025,000			-20,500	1,004,500	H2465
Tuition Replacement	18,441,824	22,927,000			-458,540	22,468,460	H2465
Southwest Iowa Grad. Cntr	35,481	35,000			-700	34,300	H2465
Tri State Graduate Center	68,524	68,000			-1,360	66,640	H2465
Quad Cities Graduate Cntr	143,843	145,000			-2,900	142,100	H2465
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	19,755,856	24,200,000	0	0	-484,000	23,716,000	
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University of Iowa							
Univ. of Iowa - General	166,493,013	168,193,000			-3,363,860	164,829,140	H2465
SUI Indigent Patient	27,114,534	27,359,000			-547,180	26,811,820	H2465
SUI Psychiatric Hospital	6,458,495	6,517,000			-130,340	6,386,660	H2465
SUI Hospital School	5,087,438	5,133,000			-102,660	5,030,340	H2465
SUI Oakdale Campus	2,629,091	2,653,000			-53,060	2,599,940	H2465
SUI Hygienic Lab	2,795,083	2,820,000			-56,400	2,763,600	H2465
SUI Family Practice Prog	1,679,118	1,694,000			-33,880	1,660,120	H2465
SCHS - Hemophilia, Cancer	399,106	402,000			-8,040	393,960	H2465
SUI Ag Health And Safety	235,992	238,000			-4,760	233,240	H2465
SUI Statewide Tumor Regis	179,987	181,000			-3,620	177,380	H2465
SUI Child Care	57,537	0					H2465
SUI Sub. Abuse Consortium	57,537	58,000			-1,160	56,840	H2465
SUI Cntr for Biocatalysis	287,686	1,304,874			-26,097	1,278,777	H2465
SUI Driving Simulator		272,000			-5,440	266,560	H2465
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	213,474,617	216,824,874	0	0	-4,336,497	212,488,377	
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Iowa State University							
Iowa State Univ- General	135,605,903	136,964,000			-2,739,280	134,224,720	H2465
ISU Ag Experiment	16,865,784	23,955,396		-50,000	-479,108	23,426,288	H2465
ISU Coop Extension	15,892,187	16,037,000			-320,740	15,716,260	H2465
ISU Fire Service Inst.	393,974	397,000			-7,940	389,060	H2465
ISU Leopold Center	567,917	572,000			-11,440	560,560	H2465
ISU Child Care	57,537	0					H2465
ISU Comp Ag. Research	3,795,743						
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	173,179,045	177,925,396	0	-50,000	-3,558,508	174,316,888	
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Univ. of Northern Iowa							
UNI - General	55,752,565	58,338,189			-1,166,764	57,171,425	H2465
UNI Child Care	57,537	0					H2465

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Human Services							
Human Services. Dept. of							
Economic Assistance							
Aid to Dependent Children	44,577,574	46,470,000				46,470,000	52355
Emergency Assistance	853,325	883,750				003,750	52355
Promise Jobs	4,068,808	4,960,000				4,960,000	S2355
Aid to Native Americans	36,440	36,765				36,765	52355
Child Support Recoveries	2,964,710	3,750,000				3,750,000	52355
X-PERT		453,204				453,204	52355
	52,500,857	56,553,719	0	0	0	56,553,719	
Medical Services							
Medical Assistance	254,529,600	276,670,000	-276,670,000		276,161,251	276,161,251	52355
Medical Contracts	4,213,479	4,030,000				4,830,000	52355
State Supplementary Asst.	18,522,933	19,040,000				19,040,000	52355
MH/MR/DD Serv--Med Asst.	2,447,384	2,860,000				2,860,000	52355
Add'l Medical Assistance		25,000,000			-1,250,000	23,750,000	H2486
Add'l Medical Contracts					120,000	120,000	
	279,713,396	328,400,000	-276,670,000	0	275,031,251	326,761,251	
Juvenile Institutions							
Toledo Juvenile Home	4,392,711	4,340,000				4,340,000	52355
Eldora Training School	7,517,350	7,470,000				7,470,000	52355
	11,910,061	11,010,000	0	0	0	11,810,000	
Helping Childr 4 Families							
Foster Care	60,448,069	47,520,000				47,520,000	S2355
Home Based Services	18,938,838	22,530,000				22,530,000	S2355
Child Protection	538,453	543,251				543,251	S2355
Transitional Child Care	314,125						
Community Based Services	3,822,294	1,620,000				1,620,000	S2355
Ct Ordered Serv Juvenile	3,599,687		3,990,000			3,990,000	S2355
Child Care Services	7,104,073	7,460,000				7,460,000	52355
Runaway Prog. Woodbury		20,000	-20,000		20,000	20,000	H2452
Runaway Prog. Polk		30,000	-30,000		30,000	30,000	H2452
Juvenile Intake Center		125,000	-125,000		125,000	125,000	H2452
Juv. Detention - Capped					900,000	900,000	
	94,765,539	79,848,251	3,815,000	0	1,075,000	84,738,251	
Veterans Home							
Marshalltown Vet Home	27,175,244	26,510,000				26,510,000	S2355
Additional Vet's Home		10,000	-10,000		10,000	10,000	H2486
	27,175,244	26,520,000	-10,000	0	10,000	26,520,000	
Mental Health Institution							
Cherokee Mental Health	14,508,308	14,690,000				14,690,000	52355
Clarinda Mental Health	6,365,015	5,660,000				5,660,000	52355
Independence Mental Hlth	16,139,895	16,500,000				16,500,000	S2355

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Human Services							
Human Services. Dept. of							
Mental Health Institution							
Mt Pleasnt Mental Health	6,615,448	5,010,000				5,010,000	S2355
	43,628,666	41,860,000	0	0	0	41,860,000	
State Hospital-Schools							
Glenwood Hospital-School	36,995,276	34,680,000				34,680,000	S2355
Woodward Hospital-School	30,257,377	29,580,000				29,580,000	S2355
	67,252,653	64,260,000	0	0	0	64,260,000	
Serving Persons MI/MR/DD							
Family Support Subsidy	640.077	1,000,000				1,000,000	S2355
OD Special Needs Grants	52.071	53.212				53.212	S2355
MH/MR/DD Special Services	366,801	370,069				370,069	S2355
Disabil Policy Council	26.051	27.090				27.090	S2355
MH/MR/DD/BI Community Ser		27,280,000		-20,000		27,260,000	S2355
Social Serv. Block Grant	4,451,978						
MH/MR/DD St Case-Loc Purc		4,980,000				4,980,000	S2355
	5,547,378	33,710,371	0	-20,000	0	33,690,371	
Managing & Deliver Servc							
Field Operations	38,006,872	37,840,000				37,840,000	S2355
General Administration	8,571,239	8,710,000			-435,500	8,274,500	S2355
Volunteers	85,007	05,793				05,793	S2355
Gamblers Assistance Prog.	303.582	250,000				250,000	S2355
	47,046,700	46,005,793	0	0	-435,500	46,450,293	
Human Services, Dept. of							
Family Planning Services		350,000	-350,000		350,000	350,000	S2355
Repro Health/Subst Abuse		100,000	-100,000		100,000	100,000	S2355
Risk Assess Preg Women		71,000	-71,000		71,000	71,000	S2355
Enhanc Serv Hi-Risk Preg		72,000	-72,000		72,000	72,000	S2355
	0	593,000	-593,000	0	593,000	593,000	
Standings							
Commission of Inquiry	7.192	7,256				7.256	S2355
Non Resident Transfer	2,390	2,419				2.419	S2355

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Human Services							
Human Services. Dept. of Standings							
Non Resident Commitment	105,485	106,425				106,425	S2355
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	115,075	116,100	0	0	0	116,100	
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Human Services. Dept. of	629,655,569	690,557,234	-273,458,000	-20,000	276,273,751	693,352,985	
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Operations	199,536,296	195,405,294	-185,000	0	649,500	195,869,794	
Grant and Aid	430,004,198	495,035,840	-273,273,000	-20,000	275,624,251	497,367,091	
Standings	115,075	116,100	0	0	0	116,100	
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Human Services	629,655,569	690,557,234	-273,458,000	-20,000	276,273,751	693,352,985	
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Justice System							
Justice Department							
General Office A.G.	4,234,960	4,565,796			-91,316	4,474,480	52348
Pros. Attor. Training	131,899	133,074			-2,661	130,413	52348
Farm Mediation Service	95,895	0					52348
Farm Legal Assistance	95,295	0					52348
Victim Assistance Grants	1,342,537	1,294,500			-25,890	1,268,610	52348
Area GASA Pros. Attorney	99,155	100,039			-2,001	98,038	52348
Consumer Advocate	1,926,541	1,943,708			-38,874	1,904,834	52348
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Justice Department	7,926,882	8,037,117	0	0	-160,742	7,876,375	
Corrections, Dept. of							
Corr. - Institutions							
Ft. Madison Inst.	20,893,768	21,036,470				21,036,470	52348
Anamosa Inst.	15,496,197	15,644,078				15,644,078	52340
Oakdale Inst.	13,291,450	14,177,914				14,177,914	52340
Newton Inst.	3,372,951	4,857,929				4,857,929	52348
Mt Pleasant Inst.	11,067,075	11,143,365				11,143,365	52340
Rockwell City Inst.	3,395,122	4,860,429				4,860,429	52348
Clarinda Inst.	5,064,185	5,356,329				5,356,329	52348
Mitchellville Inst.	4,117,399	5,355,474				5,355,474	52348
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	76,698,147	82,431,988	0	0	0	82,431,988	
Corr. - Central Office							
Central Off Ice	1,996,667	2,014,344			-40,207	1,974,057	52348
County Confinement	241,205	241,875			-4,837	237,038	52348
Fed Prisoners/Contract	347,451	348,300			-6,966	341,334	52348
Training Center	358,705	361,988			-7,240	354,748	52348
Corr. Expansion-Phase I	625,860	625,860				625,860	52348
Corr. Expansion-Phase II	3,143,250	3,169,163				3,169,163	52348
State Cases - Stdg.	67,560	67,725			-1,355	66,370	
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	6,780,858	6,829,255	0	0	-60,685	6,760,570	
CBC Districts							
CEC District I	5,275,583	5,525,572			-110,511	5,415,061	52348
CBC District II	3,720,977	4,279,499			-85,590	4,193,909	52348
CEC District III	2,348,190	2,757,653			-55,153	2,702,500	52348
CBC District IV	1,892,833	1,899,653			-37,993	1,861,660	52348
CBC District V	6,668,971	7,484,221			-149,684	7,334,537	52348
CEC District VI	5,185,678	5,531,365			-110,627	5,420,738	52348
CEC District VII	3,657,038	3,913,737			-78,275	3,835,462	52348
CBC District VIII	2,965,360	3,364,777			-67,296	3,297,481	52348
CBC Statewide	88,098	88,098			-1,762	86,336	52348
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	31,802,728	34,844,575	0	0	-696,891	34,147,684	
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Corrections, Dept. of	115,281,733	124,105,818	0	0	-757,576	123,348,242	
Judicial Branch							
Judicial Branch	73,200,000	73,203,747			-1,464,075	71,739,672	52348
Juv. Vict. Restitu.	100,000	100,000			-2,000	90,000	52348

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Justice System							
Judicial Branch							
ICIS Computer	875,000	875,000			-17,500	857,500	52348
Child Custody		100,000	-100,000				S2348
Court Ordered Serv Juvs		3,990,000	-3,990,000				H2452
Summer Work Program		75,000	-75,000		75,000	75,000	H2452
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Judicial Branch	74,175,000	78,343,747	-4,165,000	0	-1,408,575	72,770,172	
Parole, Board of Parole Board	711,805	718,320			-14,366	703,954	S2348
Operations	165,983,847	176,050,827	-4,165,000	0	-1,638,176	170,247,651	
Grant and Aid	32,044,013	35,086,450	0	0	-701,728	34,384,722	
Standings	67,560	67,725	0	0	-1,355	66,370	
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Justice System	198,095,420	211,205,002	-4,165,000	0	-2,341,259	204,698,743	
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Legislative Fiscal Bureau

General Fund Appropriations
July 16, 1992 @ 15:58

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	B111 Num.
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Regulation							
Auditor of State							
Auditor - General Office	1,535,083	1,037,678			-51.884	985.794	H2455
Campaign Finance Disc.							
Campaign Finance	261.794	256.420			- 12.82 1	243,599	H2455
Commerce, Department of							
Commerce-Administration	1,347,530	1,195,532			-59.777	1,135,755	H2455
Alcoholic Beverages							
Alcoholic Bev.-Operations	3,225.542	2,706,848			-135,342	2,571,506	H2455
Banking Division							
Banking Division	5,497,769	4,957,650			-247,883	4,709,767	H2455
Credit Union Division							
Credit Union Division	882,297	858,333			-42,917	815,416	H2455
Insurance Division							
Insurance Division	4,077,327	4,312,118			-215,606	4,096,512	H2455
Self-Insurance Examiner	47,948						H2455
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	4,125,275	4,312,118	0	0	-215,606	4,096,512	
Professional Licensing							
Professional Licensing	802,431	802,762			-40,138	762.624	H2455
Utilities Division							
Utilities Division	4,486,259	4,391,833			-219,592	4,172,241	H2455
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Commerce, Department of	20,367,103	19,225,076	0	0	-961,255	18,263,821	
Employment Serv., Dept.							
Labor Serv.	2,380,304	2,222,743			-111,137	2,111,606	H2455
Industrial Serv.	1,949,732	1,828,127			-91,406	1,736,721	H2455
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Employment Serv.. Dept.	4,330,036	4,050,870	0	0	-202,543	3,848,327	
Inspections and Appeals							
Inspections and Appeals							
Finance and Services Div.	534,076	467,307			-23,365	443,942	H2455
Audits Division	450,041	416,731			-20,837	395,894	H2455
Appeals and Fair Hearings	345,491	197,547			-9,877	187,670	H2455
Investigations Division	437,575	458,808			-22,940	435,868	H2455
Health Facilities Div.	1,496,472	1,367,682			-68,384	1,299,298	H2455
Inspections Division	789,765	711,017			-35,551	675,466	H2455
Employment Appeal Board	44,617	42,764			-2,138	40,626	H2455
Foster Care Review Board	254,996	131,831			-6,592	8,445,465	H2455
Indigent Defense Approp.	11,795,469	8,445,465					H2455
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	16,148,502	12,239,152	0	0	-189,684	12,049,468	

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Regulation							
Inspections and Appeals							
Appellate Defender							
Public Defender	6,161,595	6,271,741				6,271,741	H2455
Racing Commission							
Racetracks	1,694,414	1,655,339			-82,767	1,572,572	H2455
Riverboats	540,145	619,513			-30,976	588,537	H2455
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	2,234,559	2,274,852	0	0	-113,743	2,161,109	
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Inspections and Appeals	24,544,656	20,785,745	0	0	-303,427	20,482,318	
Public Employment Rel.							
General Office	650,640	673,998			-33,700	640,298	H2455
Operations	51,689,312	46,029,787	0	0	-1,565,630	44,464,157	
Regulation	51,689,312	46,029,787	0	0	-1,565,630	44,464,157	
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Legislative Fiscal Bureau

General Fund Appropriations
July 16, 1992 @ 15:58

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Unassigned Standings							
Cultural Affairs. Dept.							
Commun. Network Standing	2,799,623	5,000,000				5,000,000	H2486
Education. Department of							
Trans of Nonpublic Pupils	5,904,027	5,888,729			-294,436	5,594,293	H2486
Child Development	10,632,897	10,727,640			-536,382	10,191,258	H2465
Educational Excellence	91,479,251	92,297,891			-12,000,000	80,297,891	H2465
Instructional Support	12,023,608	15,673,500				15,673,500	S2320
K-12 Enrollment Advances	6,687,210	0					
School Foundation Aid	1,087,224,098	1,179,896,000	-1,000,000			1,178,896,000	S2320
School Aid Adj. H.F. 2486		-864,000				-864,000	H2486
Education, Department of	1,213,951,091	1,303,619,760	-1,000,000	0	-12,830,818	1,289,788,942	
Executive Council							
Management. Dept. of							
Performance of Duty	426,534	935,000				935,000	
Revenue and Finance. Dept							
Court Costs	192,826	82,237				82,237	
Habeas Corpus Fees	23,973	24,187			-1,209	22,978	
	216,799	106,424	0	0	-1,209	105,215	
Executive Council	643,333	1,041,424	0	0	-1,209	1,040,215	
Legislative Branch							
House of Representatives							
House Of Representatives..	-15,394	6,312,535			-315,627	5,996,908	
Senate							
Senate	-9,142	3,749,535			-187,477	3,562,058	
Joint Expenses.							
Joint Expenses	16,714,027	480,295			-24,015	456,280	
Citizens' Aide							
Citizens' Aide	-1,362	558,006			-27,900	530,106	
Leg. Computer Support							
Legislative Computer Supp	-3,099	1,270,824			-63,541	1,207,283	
Legislative Fiscal Bureau							
Legislative Fiscal Bureau	-3,081	1,263,500			-63,175	1,200,325	
Legislative Service Bur							
Leg. Service Bureau	-7,361	3,018,683			-150,934	2,867,749	

Legislative Fiscal Bureau

General Fund Appropriations
July 16, 1992 @ 15:58

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Unassigned Standings							
Legislative Branch							
Admin. Rules Review Comm.							
Admin. Rules Review							
Legislative Branch							
Governor							
Interstate Extradition							
Presidential Electors							
Governor	3,836	4,270	0	0	-214	4,056	
Judicial Branch							
Sr. Judge Program		262,000	-262,000				H2450
Management, Department of							
Appeal Board Standing	3,868,242	3,902,800				3,902,800	
Personnel, Department of							
Worker's Compensation	6,307,094	0					H2459
Public Defense, Dept. of							
Compensation & Expense	38,359	80,000			-4,000	76,000	
Regents. Board of							
ISU Livestock Disease	279,114	0					H2465
Revenue & Finance, Dept.							
Ag Land Tax Credit	41,398,384	41,198,736			-2,059,937	39,138,799	H2486
Property Tax Replacement	59,921,177	59,250,060			-2,962,503	56,287,557	H2486
Printing Cigarette Stamps	120,949	122,027			-6,101	115,926	
Homestead Tax Credit Aid	99,606,372	98,498,125			-4,924,906	93,573,219	H2486
Extraordinary Prop. Tax	11,420,532	11,363,156			-568,158	10,794,998	H2486
Peace Officer Retirement	3,070,249	3,097,606			-154,880	2,942,726	H2486
Unemployment Compensation	1,319,125	316,000				316,000	
Franchise Tax Reimburse	9,303,785	9,279,677			-463,984	8,815,693	H2486
Military Service Tax	2,961,502	2,969,258			-148,463	2,820,795	H2486
Mental Health Prop Tax	10,032,637	0					
Revenue & Finance. Dept.	239,154,712	226,094,645	0	0	-11,288,932	214,805,713	
Secretary of State							
Iowa Servicemens Ballot	2,468	0					
Constitutional Amendments		2,700			-135	2,565	
Secretary of State	2,468	2,700	0	0	-135	2,565	
Transportation. Dept. of							
Public Transit Assistance	6,552,730	6,200,000			-310,000	5,890,000	

General Fund Appropriations
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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
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Unassigned Standings Treasurer of State TRANS Note Proceeds	5,478,442		0				
Standings	1,495,753,481	1,562,922,922	-1,262,000	0	-25,271,074	1,536,389,848	
Unassigned Standings	1,495,753,481	1,562,922,922	-1,262,000	0	-25,271,074	1,536,389,848	
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Legislative Fiscal Bureau

General Fund Appropriations
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	Est Net Appr FV 1992	Final Action FV 1993	Item Veto FV 1993	Antic. Rev. FV 1993	S.F. 2393 FV 1993	Est Net Appr FY 1993	Bill Num.
Capital Projects							
Natural Resources Capital							
Marine Fuel Tax Capitals	2,513,008	1,540,000			-77,000	1,463,000	S2347
Capitals	2,513,008	1,540,000	0	0	-77,000	1,463,000	
Capital Projects	2,513,008	1,540,000	0	0	-77,000	1,463,000	

Legislative Fiscal Bureau

Other Funds
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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
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Administration	19,996,202	39,253,738	0	0	0	39,253,738	
Agriculture & Natural Res	23,580,744	21,035,103	-50,000	0	0	20,985,103	
Economic Development	24,243,954	63,410,189	-125,000	0	0	63,285,189	
Education	8,645,589	169,840,670	0	0	0	169,840,670	
Health & Human Rights	49,295,921	97,790,011	0	0	0	97,790,011	
Human Services	42,603,153	845,404,275	0	0	0	845,404,275	
Justice System	0	10,000	0	0	0	10,000	
Regulation	7,092,887	7,703,844	-75,000	0	75,000	7,703,844	
Transportation & Safety	234,662,746	435,134,498	0	0	0	435,134,498	
Capital Projects	6,838,500	4,491,250	0	0	0	4,491,250	
Total Appropriations	416,959,696	1,684,073,578	-250,000	0	75,000	1,683,898,578	
Bill Totals							
H.F. 2455 Regulation	7,092,887	7,628,844	0	0	0	7,628,844	
H.F. 2459 Admin	14,824,058	15,312,595	0	0	0	15,312,595	
H.F. 2462 Econ Dev	243,954	1,024,954	-125,000	0	0	899,954	
H.F. 2465 Education	3,671,016	3,894,741	0	0	0	3,894,741	
H.F. 2486 Stdg Reduct.	0	25,000	0	0	0	19,126,697	
H.F. 2490 Salary Bill	0	19,190,697	0	0	0	136,000	
S.F. 2282 Storage Tank	0	136,000	0	0	0	238,457,552	
S.F. 2345 Trans&Safety	236,027,746	238,457,552	0	0	0	20,932,153	
S.F. 2347 Ag&Nat'l Res	20,064,044	20,982,153	-50,000	0	0	4,508,200	
S.F. 2361 Oil Overchar	6,498,200	4,508,200	0	0	0	1,372,187,842	
S.F. 2366 Block Grant	123,025,647	1,372,187,842	0	0	0		
Other	416,959,696	1,684,073,578	-250,000	0	75,000	1,683,898,578	
Total Appropriations	416,959,696	1,684,073,578	-250,000	0	75,000	1,683,898,578	

Note: This report tracks the non-General Fund appropriations made by the 1992 General Assembly. The increase from FY 1992 to FY 1993 reflects the change in the number of non-General Funds appropriated and not necessarily an increase in funds received.

Legislative Fiscal Bureau

Other Funds
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	Est Net Appr FY 1992	Final Act on FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	B111 Num.
	=====	=====	=====	=====	=====	=====	=====
Administration							
Legislative Branch							
Claims for Var. Persons	144						
General Services, Dept.							
General Services, Dept.							
Centralized Purch. Div.	580,507	641,739				641,739	H2459
Gen Serv-Vehicle Dispatch							
Vehicle Dispatcher Divsn	595,786	574,292				574,292	H2459
Centralized Printing'							
Central Print Divsn	952,840	907,489				907,489	H2459
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General Services, Dept.	2,129,133	2,123,520	0	0	0	2,123,520	
Gov. Sub. Abuse Coord.							
DC&SI Block Grant	5,172,000	4,750,446				4,750,446	S2366
Management, Department of							
RUTF - General Office	55,000	56,000				56,000	H2459
Salary Adj. Primary Road		14,030,835				14,030,835	H2490
Salary Adj. Road Use		5,159,862				5,159,862	H2490
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Management, Department of	55,000	19,246,697	0	0	0	19,246,697	
Personnel, Department of							
Personnel, Department of							
Primary Road HR Bureau	330,667	275,346				275,346	H2459
Road Use Tan HR Bureau	32,829	44,824				44,824	H2459
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Personnel, Department of	363,496	320,170	0	0	0	320,170	
IDOP-Retirement							
IPERS Administration	3,003,421	3,279,418				3,279,418	H2459
IPERS Data Info. System	783,000	783,000				783,000	H2459
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IDOP-Retirement	3,786,421	4,062,418	0	0	0	4,062,418	
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Personnel, Department of	4,149,917	4,382,588	0	0	0	4,382,588	
Revenue & Finance, Dept.							
Revenue and Finance, Dept							
Motor Veh Fuel Tx - Admin	1,049,076	1,283,202				1,283,202	H2459
Lottery Division							
Lottery Operations	7,440,932	7,217,285				7,217,285	H2459
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Revenue & Finance, Dept.	8,490,008	8,500,487	0	0	0	8,500,487	

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Administration							
Treasurer of State							
World Food Prize-Ltry Fnd		250,000				250,000	H2459
Non-General Fund	19,996,202	39,253,738	0	0	0	39,253,738	
Administration	19,996,202	39,253,738	0	0	0	39,253,738	

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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
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Economic Development							
Economic Oevel.. Dept. of							
280C-Administration	38,954	38,954				38,954	H2462
2808-Administration	1,25,000	125,000				125,000	H2462
2808-Target Alliance	30,000	30,000				30,000	H2462
2808-Apprenticeship Prgm.		125,000	-125,000				H2462
Rural Development,ICDL	50,000	50,000				50,000	H2462
RC 2000 Infrastructure		25,000				25,000	H2486
Rural Develop. Prgm.,ICDL		436,000				436,000	H2462
Community Oevel Block Grt	24,000,000	25,100,000				25,100,000	52366
Insurance Development		200,000				200,000	h2462
Mainstreet Program - ICOL		20,000				20,000	h2462
Home Invest - Fed Funds		8,000,000				8,000,000	52366
JTPA - Fed Funds		27,915,535				27,915,535	52366
Procurement - Fed Funds		83,000				83,000	52366
St Occup Info - Fed Funds		350,000				350,000	52366
Em Shelter - Fed Funds		650,000				650,000	52366
Sm Bus Admin - Fed Funds		161,700				161,700	52366
Econ Dev Adm - Fed Funds		100,000				100,000	52366
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Economic Devel., Oept. of	24,243,954	63,410,189	-125,000	0	0	63,285,189	
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Non-General Fund	24,243,954	63,410,189	-125,000	0	0	63,285,189	
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Economic Development	24,243,954	63,410,189	-125,000	0	0	63,285,189	
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Legislative Fiscal Bureau

Other Funds
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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Health & Human Rights							
Health, Dept. of Public							
Health Protection	20,000						
ADAMH Block Grant	8,633,000	8,212,000				8,212,000	52366
M&CH Services Block Grant	6,364,530	6,793,917				6,793,917	52366
PHHS Block Grant	1,064,250	1,511,916				1,511,916	52366
Admin & Supp - Fed Funds		1,178,872				1,178,872	52366
Fam&Com Hlth - Fed Funds		32,625,115				32,625,115	52366
Hlth Policy - Fed Funds		160,060				160,060	52366
Hlth Protect - Fed Funds		3,084,383				3,084,383	52366
Local Health - Fed Funds		327,472				327,472	52366
Sub Abuse - Fed Funds		9,504,036				9,504,036	52366
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Health. Dept. of Public	16,081,780	63,397,771	0	0	0	63,397,771	
Human Rights, Dept. of							
Weatherization-Exxon	3,000,000	3,000,000				3,000,000	52361
Community Serv Block Grt	3,883,788	3,946,078				3,946,078	52366
LIHEAP Block Grant	26,330,353	27,446,162				27,446,162	52366
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Human Rights, Dept. of	33,214,141	34,392,240	0	0	0	34,392,240	
Non-General Fund	49,295,921	97,790,011	0	0	0	97,790,011	
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Health & Human Rights	49,295,921	97,790,011	0	0	0	97,790,011	
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	Est Net Appr FY 1992	Final Action FY 1993	Item Ve o FY 1993	Antic. Re FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
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Human Services							
Human Services, Dept. of							
Economic Assistance							
AFDC - Fed Funds		100,319,939				100,319,939	52366
Sub. Abuse - Fed Funds		2,745,199				2,745,199	52366
Child Abuse - Fed Funds		547,387				547,387	52366
CFS - Fed Funds		14,548,821				14,548,821	52366
Child Care - Fed Funds		12,463,199				12,463,199	52366
CS Research - Fed Funds		778,434				778,434	52366
CS Recov. - Fed Funds		9,007,582				9,887,582	52366
Surplus Foods - Fed Funds		349,000				349,000	52366
Dev. Disabil. - Fed Funds		541,120				541,120	52366
Emer. Assist. - Fed Funds		403,750				483,750	52366
Enh. Services - Fed Funds		7,902,520				7,902,520	52366
Field Ops. - Fed Funds		32,787,777				32,787,777	52366
Foster Care - Fed Funds		10,004,948				10,004,948	52366
Gen. Admin. - Fed Funds		13,993,871				13,993,871	52366
Glenwood SHS - Fed Funds		232,747				232,747	52366
Indep. Living - Fed Funds		386,264				386,264	52366
Refugee Serv. - Fed Funds		3,096,155				3,096,155	52366
Local Admin. - Fed Funds		4,570,040				4,570,040	52366
Med. Assist. - Fed Funds		567,378,917				567,378,917	52366
Med. Contr. - Fed Funds		8,763,046				0,763,046	52366
MH Training - Fed Funds		211,755				211,755	52366
Prcvt. Serv. - Fed Funds		147,004				147,084	52366
Promise Jobs - Fed Funds		7,276,572				7,276,572	52366
Refugees - Fed Funds		122,155				122,155	52366
STD Control - Fed Funds		3,134,900				3,134,900	52366
Food Assist. - Fed Funds		444,500				444,500	52366
Title 8 - Fed Funds		250,000				250,000	52366
Volunteers - Fed Funds		127,900				127,900	52366
X-PERT - Fed Funds		401,098				401,898	52366
	0	803,897,480	0	0	0	803,897,480	
Human Services, Dept. of							
Social Services Block Grt	31,853,745	31,089,115				31,089,115	52366
Jobs Child Care Block Grt	3,226,408	3,226,400				3,226,400	52366
Child Care Block Grant	7,523,000	7,191,272				7,191,272	52366
	42,603,153	41,506,795	0	0	0	41,506,795	
Human Services, Dept. of	42,603,153	845,404,275	0	0	0	845,404,275	
Non-General Fund	42,603,153	845,404,275	0	0	0	845,404,275	
Human Services	42,603,153	845,404,275	0	0	0	845,404,275	

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Justice System							
Justice Department							
Hate Crimes Training		10,000				10,000	s2345
Non-General Fund	0	10,000	0	0	0	10,000	
Justice System	0	10,000	0	0	0	10,000	

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Transportation & Safety							
Public Safety, Dept. of							
Public Safety, Dept.							
Asset Sharing-Fed Funds		150,000				150,000	52366
Fire Marshal-Fed Funds		12,000				12,000	52366
Hwy Patrol-Fed Funds		5,000				5,000	52366
Hwy Patrol-Fed Funds		484,946				484,946	52366
NHSA-Fed Funds		1,870,000				1,870,000	52366
Marijuana Contr-Fed Funds		40,000				40,000	52366
	0	2,561,946	0	0	0	2,561,946	
Road Use Tax Fund							
Highway Patrol	24,458,362	28,445,736				28,445,736	52345
Hwy Patrol-Comm FV92	3,039,150						52345
ISP Radars	294,166	150,000				150,000	52345
IHP Workers Comp.	362,250	403,475				403,475	52345
IHP-IDOP Reim.	77,350	80,390				88,390	52345
ISP Scanners	105,000						
	28,336,270	29,087,601	0	0	0	29,087,601	
Use Tax							
Local AFIS-Use Tax	373,108	247,471				247,471	52345
AFIS Mainframe		509,378				509,378	52345
Pari-Mutuel Enforce.		277,662				277,662	52345
	373,108	1,034,511	0	0	0	1,034,511	
Public Safety, Dept. of	28,709,386	32,684,058	0	0	0	32,684,058	
Transportation, Dept. of							
Transportation, Dept.							
Hwy Const-Fed Funds		190,000,000				190,000,000	52366
Transit 8-Fed Funds		250,000				250,000	52366
Transit 9-Fed Funds		2,700,000				2,700,000	52366
Transit 18-Fed Funds		2,000,000				2,000,000	52366
Tran 16(b)-Fed Funds		750,000				750,000	52366
Safety-Fed Funds		675,000				675,000	52366
	0	196,375,000	0	0	0	196,375,000	
Primary Road Fund							
Administration Div.	22,903,953	23,725,250				23,725,250	52345
Handicap Access		51,600				51,600	52345
General Counsel Div.	1,088,760	1,088,760				1,088,760	52345
Planning Division	7,050,899	6,552,625				6,552,625	52345
Air & Transit	246,334	246,120				246,120	52345
Highway Division	139,750,000	140,128,500				140,128,500	52345
Software Module		30,000				30,000	52345
Motor Vehicle Div.	781,745	767,076				767,076	52345
Rail & Water Div.	296,700	258,600				258,600	52345
Inventory & Replace.	3,000,000	3,079,000				3,079,000	52345
Personnel Reim.	741,000	665,000				665,000	52345

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Other Funds
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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Capital Projects							
General Services Capital							
Removal Court Ave. Bridge	375,000						
Natural Resources Capital							
Fish And Game Cap - STDG	1,031,500	1,591,250				1,591,250	52347
Public Defense Capital							
Public Defense Armory Con	1,757,000						
Transportation Capitals							
Area Garages	2,010,000	2,525,000				2,525,000	S2345
Scale Lot Paving	120,000						
Parking Lot Resurfacing	200,000						
Lab Central Air	300,000						
Electrical System	230,000						
Hamlin Land Purchase	15,000						
Maquoketa Garage Exp		375,000				375,000	S2345
Transportation Capitals	3,675,000	2,900,000	0	0	0	2,900,000	
Non-General Fund	6,838,500	4,491,250	0	0	0	4,491,250	
Capital Projects	6,838,500	4,491,250	0	0	0	4,491,250	

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FV 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
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Administration	1,494.82	1,484.92	.00	.00	.00	1,484.92	
Agriculture & Natural Res	1,493.83	1,442.80	.00	.00	.00	1,442.80	
Economic Development	226.98	149.27	.00	.00	.00	149.27	
Education	17,159.64	17,001.33	.00	.00	.00	17,001.33	
Health & Human Rights	544.24	513.85	.00	.00	.00	513.85	
Human Services	6,725.95	6,730.68	.00	.00	.00	6,730.68	
Justice System	4,791.81	4,907.18	.00	.00	.00	4,907.18	
Regulation	1,331.48	1.21 1.63	.00	.00	.00	1.21 1.63	
Transportation & Safety	5,173.15	5,013.95	.00	.00	.00	5,013.95	
Unassigned Standings	456.92	1.00	.00	.00	.00	1.00	
Total FTEs	39,398.82	38,456.61	.00	.00	.00	38,456.61	=====
Bill Totals							
H.F. 2455 Regulation	1,330.48	1.21 1.63	.00	.00	.00	1.21 1.63	
H.F. 2457 Hlt&HumanRgt	544.24	513.85	.00	.00	.00	513.85	
H.F. 2459 Admin	1,475.45	1,480.17	.00	.00	.00	1,480.17	
H.F. 2462 Econ Dev	145.09	149.27	.00	.00	.00	149.27	
H.F. 2465 Education	17,168.70	17,007.08	.00	.00	.00	17,007.08	
S.F. 2345 Trans&Safety	5,173.15	5,013.95	.00	.00	.00	5,013.95	
S.F. 2347 Ag&Natl Res	1,493.83	1,442.80	.00	.00	.00	1,442.80	
S.F. 2348 Justice	4,791.81	4,907.18	.00	.00	.00	4,907.18	
S.F. 2355 Human Serv	6,722.95	6,730.68	.00	.00	.00	6,730.68	
Operations	37,169.24	36,796.72	.00	.00	.00	36,796.72	
Grant and Aid	853.73	917.34	.00	.00	.00	917.34	
All Standings	606.35	139.55	.00	.00	.00	139.55	
Other	693.50	596.00	.00	.00	.00	596.00	
	76.00	7.00	.00	.00	.00	7.00	
Total FTEs	39,398.82	38,456.61	.00	.00	.00	38,456.61	=====

Note:
This report tracks the FTE positions authorized by the 1992 General Assembly.

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	Est Net Appr FY 1992	Final Act on FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Administration							
Executive Council							
General Office	1.12	.00					
General Services, Dept.							
General Services, Dept.							
Gen Services Admin.	13.95	13.95				13.95	H2459
Communications	11.00	11.00				11.00	H2459
Information Services Div.	149.50	142.50				142.50	H2459
Property Management	137.00	133.00				133.00	H2459
Printing/Mail	22.00	32.00				32.00	H2459
Centralized Purch. Div.	14.00	17.00				17.00	H2459
Materials Management	3.00						
Records Management	11.00						
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	361.45	349.45	.00	.00	.00	349.45	
Gen Serv-Vehicle Dispatch							
Vehicle Dispatcher Divsn	16.00	16.00				16.00	H2459
Centralized Printing							
Central Print Divsn	28.00	28.00				28.00	H2459
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General Services. Dept.	405.45	393.45	.00	.00	.00	393.45	
Governor							
Terrace Hill	4.25	4.75				4.75	H2465
General Office	17.00	17.00				17.00	H2459
Terrace Hill Quarters	2.53	2.50				2.50	H2459
Admin. Rules Coordinator	1.74	1.74				1.74	H2459
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Governor	25.52	25.99	.00	.00	.00	25.99	
Gov. Sub. Abuse Coord.							
Drug Enf. Ab., Prev. Coord	10.00	7.50				7.50	H2459
Management, Department of							
Management-General Office	28.00	29.00				29.00	H2459
Personnel, Department of							
Personnel. Department of							
Administration	28.65	33.25				33.25	H2459
Field Services	44.60	27.00				27.00	H2459
Program Management	34.00	24.00				24.00	H2459
Compen. & Benefits	4.00	25.00				25.00	H2459
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	111.25	109.25	.00	.00	.00	109.25	
IDOP-Retirement							
IPERS Administration	53.56	55.80				55.80	H2459
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Personnel. Department of	164.81	165.05	.00	.00	.00	165.05	

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Agriculture & Natural Res							
Ag. & Land Stewardship							
Administrative Division	36.20	56.20				56.20	S2347
Ag Marketing Bureau	20.00						S2347
Farmer's Market Coupon	1.50	1.00				1.00	S2347
Regulatory Division	142.00	135.00				135.00	S2347
Laboratory Division	80.00	79.25				79.25	S2347
Soil Conservation Div.	175.52	173.52				173.52	S2347
Ag. & Land Stewardship	455.22	444.97	.00	.00	.00	444.97	
Natural Resources, Dept.							
Green Thumb Program	18.68	10.00				10.00	S2347
Administrative Services	153.50	135.00				135.00	S2347
Parks & Preserves	216.57	210.57				210.57	S2347
Forestry	59.71	55.71				55.71	S2347
Energy & Geology	59.62	55.02				55.02	S2347
Environmental Protection	174.00	174.00				174.00	S2347
Fish and Wildlife Div.	337.78	338.78				338.78	S2347
Waste Management Division	18.75	18.75				18.75	S2347
Natural Resources, Dept.	1,038.61	997.83	.00	.00	.00	997.83	
Operations	1,493.83	1,442.80	.00	.00	.00	1,442.80	
Agriculture & Natural Res	1,493.83	1,442.80	.00	.00	.00	1,442.80	

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Economic Development							
Economic Oevel.. Dept. of							
Economic Development, Dept							
280C-Administration	.70	.70				.70	H2462
2806-Administration	2.10	2.40				2.40	H2462
Rural Development, ICDL	.50						
Comm. Economic Betterment	6.00	.00					H2462
Job Training Partnership	21.90						
Microenterprise Fund	4.00	.00					H2462
Wine And Beer Promotion B	.25						
Promise Jobs	4.20						
State Occup Info Coord Co	5.95						
Community Development Bldg	.15						
Community/rural Developme	1.25						
Rental Rehab	.60						
ADC-Self Employ Assist	.70						
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	48.30	3.10	.00	.00	.00	3.10	
Financial Authority							
Title Guaranty Fund	6.00						
Finance Authority - Gener	19.00						
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	25.00	.00	.00	.00	.00	.00	
Internet On Trade							
INTERNET	3.00	5.00				5.00	H2462
Wallace Tech Transfer							
Wallace Foundation	4.00	6.00				6.00	H2462
Administrative Services'							
General Administration	22.00	21.00				21.00	H2462
Information Mgmt.	6.50	6.50				6.50	H2462
Film Office	2.00	2.00				2.00	H2462
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	30.50	29.50	.00	.00	.00	29.50	
Business Development							
Business Development	16.00	15.00				15.00	H2462
Small Business Program	4.50	5.50				5.50	H2462
Procurement Office	3.00	3.00				3.00	H2462
Business Assist. Centers	2.00	.00					H2462
Targeted Small Business	1.00	.00					H2462
Strategic Invest Fund		10.00				10.00	H2462
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	26.50	33.50	.00	.00	.00	33.50	
Community & Rural Develop							
Community Progress	7.37	7.50				7.50	H2462
Mainstreet/Rural Main St.	3.00	3.00				3.00	H2462
Rural Development Prog.	2.50	3.50				3.50	H2462

	Est Net Appr FV 1992	Final Action FV 1993	Item Veto FV 1993	Antic. Rev. FV 1993	S.F. 2393 FV 1993	Est Net Appr FV 1993	Bill Num.
Economic Development							
Economic Oevel.. Oept. of Community & Rural Develop Community Oev Block Grant	14.00	18.75				18.75	H2462
	26.87	32.75	.00	.00	.00	32.75	
International Division							
International Trade	7.50	6.00				6.00	H2462
Foreign Trade Offices		6.00				6.00	H2462
European Trade Office	2.50	.00					H2462
Asian Trade Office	2.00	.00					H2462
Japan Trade Office	2.00	.00					H2462
Export Trade Asst. Prog.	.25	.25				.25	H2462
	14.25	12.25	.00	.00	.00	12.25	
Tourism Division							
Tourism Operations	15.97	17.77				17.77	H2462
Workforce Development Div							
Youth Work Force Conserv. Iowa Corps	1.90	1.90				1.90	H2462
Job Retraining Program	.75	.00					H2462
Wo'rkforce Investment Prog	1.60	.60				.60	H2462
Labor Management Councils	.90	.90				.90	H2462
	1.05	1.00				1.00	H2462
	6.20	4.40	.00	.00	.00	4.40	
Iowa Product Development							
Iowa Product Development	5.00	5.00				5.00	H2462
Economic Oevel.. Oept. of	205.59	149.27	.00	.00	.00	149.27	
Regents, Board of ISU Small Bus: Center	21.39						
Operations	142.48	130.52	.00	.00	.00	130.52	
Grant and Aid	14.50	18.75	.00	.00	.00	18.75	
	70.00	.00	.00	.00	.00	.00	
Economic Development	226.98	149.27	.00	.00	.00	149.27	

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Education							
College Aid Commission							
College Aid Commission Stafford Loan Program Adm	36.52	36.52				36.52	H2465
Operations and Loan Prog. Scholarship & Grant Admin	0.05	7.00				7.00	H2465
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College Aid Commission	44.57	44.32	.00	.00	.00	44.32	
Cultural Affairs, Dept.							
Iowa Arts Council	12.00	11.00				11.00	H2465
State Historical Society	65.25	62.50				62.50	H2465
Cultural Affairs - Admin	9.00	3.00				3.00	H2465
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Cultural Affairs, Dept.	86.25	76.50	.00	.00	.00	76.50	
Education, Department of Administration							
DE Administration	107.30	145.00				145.00	H2465
Vocational Ed. Admin.	26.45	26.45				26.45	H2465
State Library	36.00	.00					H2465
Board of Ed. Examiners	2.00	2.00				2.00	H2465
Iowa Public Television	99.00	96.00				96.00	H2465
Vocational Rehab.	319.50	307.50				307.50	H2465
Independent Living	1.50	1.50				1.50	H2465
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	591.75	570.45	.00	.00	.00	570.45	
Grants & State Aid School Food Service	13.20	16.00				16.00	H2465
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Education, Department of	604.95	594.45	.00	.00	.00	594.45	
Regents. Board of Board Office Operations							
Regents Board Office	17.63	16.63				16.63	H2465
University of Iowa							
Univ. of Iowa - General	4,034.85	3,962.27				3,962.27	H2465
SUI Indigent Patient	5,375.68	5,364.14				5,364.14	H2465
SUI Psychiatric Hospital	287.35	204.00				204.00	H2465
SUI Hospital School	169.39	165.49				165.49	H2465
SUI Oakdale Campus	66.85	64.40				64.40	H2465
SUI Hygienic Lab	103.50	100.93				100.93	H2465
SUI Family Practice Prog	161.44	161.44				161.44	H2465
SCHS - Hemophilia, Cancer	11.16	11.16				11.16	H2465
SUI Ag Health And Safety	3.20	3.30				3.30	H2465
SUI Statewide Tumor Regis	2.66	3.44				3.44	H2465
SUI Sub. Abuse Consortium	1.50	1.50				1.50	H2465

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
<i>Education</i>							
Regents, Board of University of Iowa SUI Cntr for Biocatalysis	1.76	.00					H2465
	10,219.34	10,122.15	.00	.00	.00	10,122.15	
Iowa State University							
Iowa State Univ- General	3,663.70	3,612.45				3,612.45	H2465
ISU Ag Experiment	450.31	481.43				401.43	H2465
ISU Coop Extension	437.23	446.07				446.07	H2465
ISU Fire Service Inst.	11.22	11.66				11.66	H2465
ISU Leopold Center	7.52	.00					H2465
	4,569.98	4,551.61	.00	.00	.00	4,551.61	
Univ. of Northern Iowa							
UNI - General	1,398.52	1,382.93				1,382.93	H2465
Special Schools							
Iowa School for the Deaf	125.95	122.99				122.99	H2465
Iowa Braille & Sight Sch	92.45	89.75				89.75	H2465
	218.40	212.74	.00	.00	.00	212.74	
Regents. Board of	16,423.87	16,286.06	.00	.00	.00	16,286.06	
Operations	17,146.44	16,985.33	.00	.00	.00	16,985.33	
Grant and Aid	13.20	16.00	.00	.00	.00	16.00	
Education	17,159.64	17,001.33	.00	.00	.00	17,001.33	

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Health & Human Rights							
Blind. Iowa Comm. For The Department For The Blind	105.00	99.50				99.50	H2457
Civil Rights Commission General Office	37.38	31.00				31.00	H2457
Elder Affairs, Department State Administration	31.00	29.00				29.00	H2457
Health, Dept. of Public Administration & Support	54.50	55.50				55.50	H2457
Professional Licensure	11.50	11.50				11.50	H2457
Local Health		14.00				14.00	H2457
Office of Rural Health	3.00	.00					H2457
EMS Training	5.00	.00					H2457
Policy & Planning	10.00	10.75				10.75	H2457
Health Protection	81.00	76.50				76.50	H2457
Substance Abuse	21.00	19.00				19.00	H2457
Family & Community Health	94.00	81.00				81.00	H2457
Dental Examiners	4.00	4.00				4.00	H2457
Medical Examiners	18.00	18.00				18.00	H2457
Nursing Examiners	16.00	16.00				16.00	H2457
Pharmacy Examiners	12.86	11.75				11.75	H2457
Health. Dept. of Public	330.86	318.00	.00	.00	.00	318.00	
Human Rights, Dept. of Administration	9.00	7.60				7.60	H2457
Deaf Services	9.00	8.00				8.00	H2457
Persons With Disabilities	4.00	3.00				3.00	H2457
Latino Affairs	2.00	2.00				2.00	H2457
Status of Women	4.00	4.00				4.00	H2457
Status of African Am.	2.00	2.00				2.00	H2457
Criminal & Juvenile Just.	10.00	9.75				9.75	H2457
Human Rights, Dept. of	40.00	36.35	.00	.00	.00	36.35	
Operations	536.24	499.85	.00	.00	.00	499.85	
Grant and Aid	8.00	14.00	.00	.00	.00	14.00	
Health & Human Rights	544.24	513.85	.00	.00	.00	513.85	

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	B111 Num.
Human Services							
Human Services, Dept. of							
Economic Assistance							
Child Support Recoveries	227.00	255.49				255.49	S2355
X-PERT		17.00				17.00	S2355
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	227.00	272.49	.00	.00	.00	272.49	
Juvenile Institutions							
Toledo Juvenile Home	120.61	119.47				119.47	S2355
Eldora Training School	212.23	208.22				208.22	S2355
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	332.84	327.69	.00	.00	.00	327.69	
Helping Childr & Families							
Community Based Services	1.00	1.00				1.00	S2355
Veterans Home							
Marshalltown Vet Home	715.34	700.61				700.61	S2355
Mental Health Institution							
Cherokee Mental Health	375.00	381.41				381.41	S2355
Clarinda Mental Health	154.00	138.11				138.11	S2355
Independence Mental Hlth	428.61	435.61				435.61	S2355
Mt Pleasant Mental Health	134.00	103.00				103.00	S2355
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	1,091.61	1,058.13	.00	.00	.00	1,058.13	
State Hospital-Schools							
Glenwood Hospital-School	1,066.00	995.00				995.00	S2355
Woodward Hospital-School	863.38	836.25				836.25	S2355
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	1,929.38	1,831.25	.00	.00	.00	1,831.25	
Managing & Deliver Servc							
Field Operations	2,072.60	2,180.50				2,180.50	S2355
General Administration	353.18	359.01				359.01	S2355
Gamblers Assistance Prog.	3.00	.00					
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	2,428.78	2,539.51	.00	.00	.00	2,539.51	
Human Services, Dept. of	6,725.95	6,730.68	.00	.00	.00	6,730.68	
Operations	6,721.95	6,729.68	.00	.00	.00	6,729.68	
Grant and Aid	4.00	1.00	.00	.00	.00	1.00	
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Human Services	6,725.95	6,730.68	.00	.00	.00	6,730.68	
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	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Justice System							
Justice Department							
General Office A.G.	174.00	173.00				173.00	S2348
Pros. Attor. Training	4.75	4.75				4.75	S2348
Area GASA Pros. Attorney	3.00	3.00				3.00	52348
Consumer Advocate	32.00	32.00				32.00	52348
Victim Compensation Fund	6.00	7.00				7.00	52348
Justice Department	219.75	219.75	.00	.00	.00	219.75	
Corrections, Dept. of							
Corr. - Institutions							
Ft. Madison Inst.	502.50	494.50				494.50	52348
Anamosa Inst.	356.00	352.00				352.00	52348
Oakdale Inst.	307.53	320.80				320.00	52348
Newton Inst.	91.72	110.25				110.25	52348
Mt Pleasant Inst.	267.15	261.34				261.34	52348
Rockwell City Inst.	82.89	108.00				108.00	52348
Clarinda Inst.	137.20	136.20				136.20	52348
Mitchellville Inst.	113.14	132.50				132.50	52348
Corr. - Central Office	43.52	41.52				41.52	S2348
Central Office	8.22	8.19				8.19	S2348
Training Center	51.74	49.71	.00	.00	.00	49.71	
CEC Districts							
CBC District I	148.86	152.41				152.41	S2348
CBC District II	95.08	106.58				106.58	S2348
CBC District III	58.13	65.69				65.69	52348
CBC District IV	48.00	48.00				48.00	S2348
CEC District V	166.20	181.91				181.91	52348
CBC District VI	139.69	146.00				146.00	52348
CBC District VII	93.09	95.60				95.60	52348
CBC District VIII	64.98	71.40				71.40	52348
CEC Districts	814.03	867.59	.00	.00	.00	867.59	
Corrections, Dept. of	2,723.90	2,832.89	.00	.00	.00	2,832.89	
Judicial Branch							
Judicial Branch	1,830.46	1,836.54				1,836.54	52348

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Justice System Parole, Board of Parole Board	18.00	18.00				18.00	52348
Operations	3,971.78	4,032.59	.00	.00	.00	4,032.59	
Grant and Aid	814.03	867.59	.00	.00	.00	867.59	
	6.00	7.00	.00	.00	.00	7.00	
Justice System	4,791.81	4,907.18	.00	.00	.00	4,907.18	

Legislative Fiscal Bureau

FTE Report
July 17, 1992 @ 16:40

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Regulation							
Auditor of State							
Auditor - General Office	120.78	109.78				109.78	H2455
Campaign Finance Disc.							
Campaign Finance	6.75	6.75				6.75	H2455
Commerce, Department of							
Commerce-Administration	41.50	30.50				30.50	H2455
Commerce Administration							
Alcoholic Beverages'							
Alcoholic Bev.-Operations	85.86	27.00				27.00	H2455
Banking Division							
Banking Division	108.50	99.00				99.00	H2455
Credit Union Division							
Credit Union Division	20.00	20.00				20.00	H2455
Insurance Division							
Insurance Division	92.33	91.00				91.00	H2455
Self-Insurance Examiner	1.00						
	93.33	91.00	.00	.00	.00	91.00	
Professional Licensing							
Professional Licensing	11.00	11.00				11.00	H2455
Utilities Division							
Utilities Division	93.50	84.00				84.00	H2455
Commerce, Department of	453.69	362.50	.00	.00	.00	362.50	
Employment Serv.. Dept.'							
Labor Serv.	87.30	90.00				90.00	H2455
Industrial Serv.	35.50	35.00				35.00	H2455
Job Service Acs Administr	155.50	161.50				161.50	H2455
Employment Serv.. Dept.	278.30	286.50	.00	.00	.00	286.50	
Inspections and Appeals							
Inspections and Appeals							
Finance and Services Div.	25.00	24.00				24.00	H2455
Audits Division	21.00	15.00				15.00	H2455
Appeals and Fair Hearings	27.00	24.00				24.00	H2455
Investigations Division	38.00	35.00				35.00	H2455
Health Facilities Div.	115.00	118.00				118.00	H2455
Inspections Division	26.50	20.00				20.00	H2455
Employment Appeal Board	16.80	16.80				16.80	H2455
Foster Care Review Board	5.50	4.00				4.00	H2455
	274.80	256.80	.00	.00	.00	256.80	

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	B111 Num.
Regulation							
Inspections and Appeals							
Appellate Defender							
Public Defender	144.75	144.75				144.75	H2455
Racing Commission							
Racetracks	29.91	18.71				18.71	H2455
Riverboats	9.50	12.84				12.84	H2455
	39.41	31.55	.00	.00	.00	31.55	
Inspections and Appeals	458.96	433.10	.00	.00	.00	433.10	
Public Employment Rel. General Office	13.00	13.00				13.00	H2455
Operations	1,331.48	1,211.63	.00	.00	.00	1,211.63	
Regulation	1,331.48	1,211.63	.00	.00	.00	1,211.63	

Legislative Fiscal Bureau

FTE Report
July 17, 1992 @ 16:40

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
	=====	=====	=====	=====	=====	=====	=====
Transportation & Safety							
Law Enforcement Academy							
ILEA Operations	28.15	24.20				24.20	52345
Public Defense, Dept. of							
Military Division	206.34	208.59				208.59	52345
Disaster Ser. Div.	12.00	10.00				10.00	52345
Vet. Affairs Div.	4.16	4.16				4.16	52345
	-----	-----				-----	-----
Public Defense, Dept. of	222.50	222.75	.00	.00	.00	222.75	
Public Safety, Dept. of							
Public Safety, Dept.							
Administration	48.00	43.00				43.00	52345
Investigation. DCI	144.75	150.00				150.00	52345
Narcotics Enforce.	44.50	42.00				42.00	52345
Fire Marshal	31.25	30.00				30.00	52345
Capitol Security	31.50	29.00				29.00	52345
Pari-Mutuel Enforce.	5.00						52345
	-----	-----				-----	-----
	305.00	294.00	.00	.00	.00	294.00	
Road Use Tax Fund							
Highway Patrol	456.00	529.50				529.50	52345
Hwy Patrol-Comm FY92	79.00						52345
	-----	-----				-----	-----
	535.00	529.50	.00	.00	.00	529.50	
Use Tax							
Pari-Mutuel Enforce.		5.00				5.00	52345
	-----	-----				-----	-----
Public Safety, Dept. of	840.00	828.50	.00	.00	.00	828.50	
Transportation, Dept. of							
Air & Transit	9.00	8.00				0.00	52345
Primary Road Fund							
Administration Div.	293.00	278.50				278.50	52345
General Counsel Div.	7.00	7.00				7.00	52345
Planning Division	169.00	151.00				151.00	52345
Air & Transit	5.00	5.00				5.00	52345
Highway Division	2,951.00	2,861.00				2,861.00	52345
Motor Vehicle Div.	22.00	21.00				21.00	52345
Rail & Water Div.	7.00	6.00				6.00	52345
	-----	-----				-----	-----
	3,454.00	3,329.50	.00	.00	.00	3,329.50	
Road Use Tax Fund.							
Administration Div.	47.50	45.00				45.00	52345
General Counsel Div.	1.00	1.00				1.00	52345
Planning Division	9.00	8.00				8.00	52345
Air & Transit	5.00	5.00				5.00	52345
Motor Vehicle Div.	542.00	529.00				529.00	52345

Legislative Fiscal Bureau

FTE Report
July 17, 1992 @ 16:40

	Est Net Appr FY 1992	Final Act on FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Transportation & Safety Transportation Dept. of Road Use Tax Fund Rail & Water Div.	15.00	13.00				13.00	52345
	619.50	601.00	.00	.00	.00	601.00	
Transportation Dept. of	4,082.50	3,938.50	.00	.00	.00	3,938.50	
Operations Non-General Fund	4,479.65 693.50	4,417.95 596.00	.00 .00	.00 .00	.00 .00	4,417.95 596.00	
Transportation & Safety	5,173.15	5,013.95	.00	.00	.00	5,013.95	

Legislative Fiscal Bureau

FTE Report
July 17, 1992 @ 16:40

	Est Net Appr FY 1992	Final Action FY 1993	Item Veto FY 1993	Antic. Rev. FY 1993	S.F. 2393 FY 1993	Est Net Appr FY 1993	Bill Num.
Unassigned Standings							
Education. Department of Educational Excellence	1.00	1.00				1.00	H2465
Legislative Branch							
House of Representatives							
House Of Representatives	220.99						
Senate							
Senate	108.02						
Citizens' Aide							
Citizens' Aide	12.00						
Leg. Computer Support							
Legislative Computer Supp	9.40						
Legislative Fiscal Bureau							
Legislative Fiscal Bureau	26.50						
Legislative Service Bur.							
Leg. Service Bureau	74.20						
Admin. Rules Review Comm.							
Admin. Rules Review	1.00						
Legislative Branch	452.11	.00	.00	.00	.00	.00	
Regents. Board of ISU Livestock Disease	3.81						H2465
Standings	456.92	1.00	.00	.00	.00	1.00	
Unassigned Standings	456.92	1.00	.00	.00	.00	1.00	

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Public Defense	SF 2345	542
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EXECUTIVE SUMMARY

HOUSE FILE 2459

SECOND EXTRAORDINARY SESSION ADJUSTMENTS

NEW PROGRAMS, SERVICES, OR ACTIVITIES

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- *All General Fund appropriations in this bill were reduced by 5.0% in SF 2393, the Second Extraordinary Session Bill, except revenue generating components of the Department of Revenue and Finance (DRF), note payments for the telecommunications network, and certain standing appropriations. Funding for salary adjustments was restored, resulting in a net increase of \$96.4 million from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*
- Requires the Offices of the Auditor, Secretary of State, and Treasurer to move out of the Capitol Building and into other office space on the Capitol Complex. (Page 17, Line 6) *This item was vetoed by the Governor.*
- Provides the DRF with (1) \$1.3 million and 45.0 FTE positions for increased tax enforcement and (2) \$450,000 for centralized collections. Each package is projected to generate \$4.0 million, for a total of \$8.0 million in FY 1993. The increase for tax enforcement is allocated among the divisions of DRF. (Page 13, Line 6 through Page 13, Line 29)
- * Provides a \$470,000 appropriation to the DRF to reimburse Monroe County for onetime costs associated with the Machinery and Equipment Tax Credit. (Page 15, Line 15)
- Appropriates \$6.3 million to the State Workers' Compensation Fund for the payment of workers' compensation claims. The appropriation takes the amount which was budgeted for the standing unlimited appropriation and makes a direct appropriation, resulting in no net change in overall spending for FY 1993. Agencies will be responsible for payments in excess of their three-year average of workers' compensation claims out of operations budgets. (Page 19, Line 21)
- Reduces the total General Fund appropriations to the Department of General Services by \$318,000 compared to the estimated net FY 1992 appropriation. Increases the General Fund appropriation for Rental Space by \$28,000 and for Utility Costs by \$258,000 compared to the estimated net FY 1992 appropriation. (Page 2, Line 1 through Page 4, Line 5)
- * Consolidates the Records Management Division with the Printing/Mail Division in the Department of General Services and eliminates 1.0 FTE position. (Page 2, Line 35)
- Reduces the appropriation for Law Enforcement Training Reimbursements by \$63,000 compared to the estimated net FY 1992 appropriation. (Page 9, Line 19)
- Includes funding for continued automation and purchase of optical disk imaging equipment within the Office of the Secretary of State. (Page 16, Line 12)

**EXECUTIVE SUMMARY
ADMINISTRATION APPROPRIATIONS BILL**

HOUSE FILE 2459

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

• Requires the ~~Office~~ of the Treasurer to provide secretarial ~~support~~ for the Executive Council. (Page 17, Line 4)

*Transfers ~~\$250,000~~ from Lottery revenues to the Office of the Treasurer for the World ~~Food Prize~~. (Page 1, Line 20)

-Eliminates the standing unlimited appropriation in the Department of Personnel for the payments of workers' compensation claims. (A direct appropriation is made to pay worker compensation claims in **FY 1993**.) (Page 18, Line 20 and Page 19, Line 19)

• Adds language specifying allowed practices in the ~~centralized~~ collections function within the DRF. Specifies that the centralized collections function is available for the discretionary use by other departments. (Page 20, Line 5)

STUDIES AND INTENT LANGUAGE

• Requires the Executive Council to review professional ~~memberships~~ with the goal of reducing expenditures by one-third. (Page 1, Line 12)

*Requires the Information Services Division of the **DGS** to achieve the savings required ~~from~~ sources other than discontinuing the computer upgrade which began in **FY 1992**. (Page 18, Line 17) *This item was vetoed by the Governor.*

GOVERNOR'S VETOES

• The Governor vetoed the language requiring departments to issue a request for proposal (RFP) for private collection agencies to collect accounts receivable over 6 months old. The Governor stated that individual departments should determine when collections are turned over ~~to~~ private collection agencies. (Page 15, Line 27)

• The Governor vetoed the language requiring the Auditor, **Secretary** of State, and the ~~Treasurer~~ to move their offices from the Capitol Building stating that it is appropriate for statewide elected officials to be housed in the Capitol Building. (Page 17, Line 6)

• The Governor vetoed the **FY 1992** General **Fund** appropriation for public improvements by ~~the~~ City of Guttenberg stating that the payment cannot be made ~~because~~ of the financial condition of ~~the~~ State and that other monies will be available ~~to~~ pay the assessment **in FY 1993**. (Page 17, Line 31)

• The Governor vetoed the language requiring monies in ~~the~~ Iowa Economic **Emergency Fund** to be transferred to ~~the~~ General Fund to avoid a deficit ~~and~~ defray costs at the end of **FY 1993**. The Governor ~~stated~~ that this requirement conflicts with ~~the~~ modifications made to the Iowa Economic Emergency Fund by **SF 2351** (Expenditure Limitation Bill). (Page 18, Line 2)

**EXECUTIVE SUMMARY
ADMINISTRATION APPROPRIATIONS BILL**

HOUSE FILE 2459

- The Governor vetoed the language prohibiting the DGS from discontinuing the computer mainframe upgrade begun in FY 1992 stating that the Department should retain its flexibility to manage its resources during this period of financial constraint. (Page 18, Line 17)

House File 2459

House File 2459 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	20	3	Nwthstnd	Sec. 99E.10(1)	Lottery Revenues for World Food Prize
4	15	5.3	Nwthstnd	Sec. 8.33 & 18.12(11)	Non-Reversion of Excess Funds in Utilities Account
11	17	13.2a	Nwthstnd	Sec. 8.33	IPERS Data Information System Non-Reversion
17	31	25	Nwthstnd	Sec. 307.45 & Sec. 507 Chap. 267, 1991 Iowa Acts	City of Guttenberg Public Improvements
18	2	26	Nwthstnd	Sec. 8.55	Iowa Economic Emergency Fund, Deficit Avoidance
18	20	28	Amends	Sec. 19A.32	Establishes Workers' Compensation Claims Fund
18	20	28	Nwthstnd	Sec. 8.33	Non-Reversion of Workers' Compensation Claims Fund
19	19	29	Repeals	Sec. 85.57 & 85.58	Repeals Workers' Compensation Standing Unlimited Approp.
19	34	30	Nwthstnd	Sec. 8.33	Workers' Compensation Fund Non-Reversion
20	5	31	Adds	Sec. 421.17(34) Code Supplement 1991	Centralized Collections
22	22	32	Amends	Sec. 566.13	Unclaimed Property to the Treasurer with Report Filing

1 1 Section 1. There is appropriated from the general fund of
 1 2 the state to the following named agencies for the fiscal year
 1 3 beginning July 1, 1992, and ending June 30, 1993, the
 1 4 following amounts, or so much thereof as is necessary, to be
 1 5 used for the purposes designated:

1 6 1. COMMISSION ON UNIFORM STATE LAWS
 1 7 For support of the commission and expenses of the members:
 1 8 \$ 19,280

General Fund appropriation for the Commission on Uniform State Laws.

DETAIL: This is an increase of \$1,778 compared to the estimated net FY 1992 appropriation and fully funds the Commission's request.

1 9 2. NATIONAL CONFERENCE OF STATE LEGISLATURES
 1 10 For support of the membership assessment:
 1 11 \$ 79,542

General Fund appropriation for the National Conference of State Legislatures (NCSL) membership.

NOTE: Only the 2 above appropriations are made to the General Assembly. No funds are appropriated for the Pioneer Lawmakers in FY 1993.

1 12 Sec. 2. REVIEW OF PROFESSIONAL, SCIENTIFIC, OR EDUCATIONAL
 1 13 DUES. The executive council shall review dues paid by state
 1 14 agencies of the executive department of state government for
 1 15 membership in professional, scientific, and educational
 1 16 organizations with the goal of reducing membership costs by
 1 17 one third. The executive council shall give first
 1 18 consideration to reductions by state agencies which have
 1 19 multiple memberships.

Requires the Executive Council to review organizational memberships with the goal of reducing membership costs by one-third.

1 20 Sec. 3. WORLD FOOD PRIZE. Notwithstanding the requirement
 1 21 in section 99E.10, subsection 1, to transfer lottery revenue
 1 22 remaining after expenses are deducted, before the transfer of
 1 23 the revenue there is appropriated from the lottery fund to the
 1 24 treasurer of state for the fiscal year beginning July 1, 1992,
 1 25 and ending June 30, 1993, the following amount, or so much
 1 26 thereof as is necessary, to be used for the purpose

CODE: Notwithstands Section 99E.10(1), Code of Iowa, and appropriates funds from the Lottery Fund to the Treasurer to pay the State's share of the World Food Prize.

DETAIL: In FY 1991 and FY 1992, the appropriation for the State's contribution to the World Food Prize

1 27 designated:
 1 28 For the continued funding of Iowa's participation in the
 1 29 funding of the world food prize:
 1 30 \$ 250,000

was made from the General Fund.

The budget for the World Food Prize activities for calendar year 1991 was approximately \$600,000. The State contributed \$250,000 (41.67%) and the remaining \$350,000 was raised from private funds.

1 31 It is the intent of the general assembly that this
 1 32 appropriation of public funds will result in a commitment for
 1 33 additional funding for the world food prize from private
 1 34 sources.
 1 35 The treasurer of state shall only provide the funds
 2 1 appropriated in this section to the world food prize
 2 2 foundation if sufficient private funds are raised to maintain
 2 3 the world food prize foundation in Iowa and the foundation is
 2 4 structured to include representation that reflects
 2 5 environmental concerns and sustainable agriculture.

Requires additional funding for the World Food Prize to be raised from private sources. The Treasurer shall provide the above funds to the World Food Prize Foundation only if sufficient private funding is raised to maintain the Foundation in Iowa. The Foundation is required to include environmental issues and sustainable agriculture among its concerns.

2 6 Sec. 4. There is appropriated from the general fund of the
 2 7 state to the department of general services for the fiscal
 2 8 year beginning July 1, 1992, and ending June 30, 1993, the
 2 9 following amounts, or so much thereof as is necessary, to be
 2 10 used for the purposes designated:

2 11 1. ADMINISTRATION DIVISION
 2 12 For salaries, support, maintenance, miscellaneous purposes,
 2 13 and for not more than the following full-time equivalent posi-
 2 14 tions:
 2 15 \$ 463,473
 2 16 FTEs 13.95

General Fund appropriation to the Department of General Services (DGS) Administration Division.

DETAIL: This is a decrease of \$73,207 and no change in FTE positions compared to the estimated net FY 1992 appropriation. Administrative support to the remaining divisions of the DGS will be reduced.

2 17 2. COMMUNICATIONS DIVISION
 2 18 For salaries, support, maintenance, miscellaneous purposes,
 2 19 and for not more than the following full-time equivalent posi-
 2 20 tions:
 2 21 \$ 154,471

General Fund appropriation to the DGS Communications Division.

DETAIL: This is a decrease of \$7,886 and no change in FTE positions compared to the estimated net FY

<p>2 22 FTEs 11.00</p> <p>2 23 3. INFORMATION SERVICES DIVISION</p> <p>2 24 For salaries, support, maintenance, miscellaneous purposes,</p> <p>2 25 and for not more than the following full-time equivalent posi-</p> <p>2 26 tions:</p> <p>2 27 \$ 6,032,484</p> <p>2 28 FTEs 142.50</p> <p>2 29 4. PROPERTY MANAGEMENT DIVISION</p> <p>2 30 For salaries, support, maintenance, miscellaneous purposes,</p> <p>2 31 and for not more than the following full-time equivalent posi-</p> <p>2 32 tions:</p> <p>2 33 \$ 3,422,992</p> <p>2 34 FTEs 133.00</p> <p>2 35 5. PRINTING AND MAIL DIVISION</p> <p>3 1 For salaries, support, maintenance, miscellaneous purposes,</p> <p>3 2 and for not more than the following full-time equivalent posi-</p> <p>3 3 tions:</p> <p>3 4 \$ 792,636</p> <p>3 5 FTEs 32.00</p> <p>3 6 The department of general services shall not change the</p> <p>3 7 appropriations for the purposes designated in subsections 1</p>	<p>1992 appropriation.</p> <p>General Fund appropriation to the DGS Information Services Division.</p> <p>DETAIL: This is a decrease of \$340,562 and 7.00 FTE positions compared to the estimated net FY 1992 appropriation. Intent language in Section 27 of this Act requires the continuation of the computer mainframe upgrade which began in FY 1992. The Department may not meet the funding reduction by the discontinuation of the mainframe computer upgrade. The Department estimates that up to 17.00 FTE positions would be eliminated to meet the funding reduction.</p> <p>General Fund appropriation to the DGS Property Management Division.</p> <p>DETAIL: This is a decrease of \$8,487 and 4.00 FTE positions compared to the estimated net FY 1992 appropriation. The appropriation reduces funding for custodial and mechanical control services. No change in the level of services provided is expected.</p> <p>General Fund appropriation to the DGS Printing and Mail Division.</p> <p>DETAIL: This is an increase of \$330,953 and 10.00 FTE positions compared to the estimated net FY 1992 appropriation. The appropriation combines the Records Management Division with the Printing and Mail Division of the DGS. The consolidation will allow the elimination of 1.00 FTE position.</p> <p>Requires the DGS to notify the Legislative Fiscal Bureau (LFB) prior to any modifications or revisions</p>
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3 8 through 5 from the amounts appropriated under those
 3 9 subsections unless notice of the revisions is given prior to
 3 10 their effective date to the legislative fiscal bureau, The
 3 11 notice shall include information on the department's rationale
 3 12 for making the changes.

to the above line-item appropriations.

3 13 Savings achieved in providing telecommunications services
 3 14 shall be used by the department of general services to
 3 15 increase efficiencies in the provision of those services. The
 3 16 department of general services shall report semiannually to
 3 17 the chairpersons and the ranking members of the joint
 3 18 administration appropriations subcommittee and to the
 3 19 legislative fiscal bureau. The reports shall include a
 3 20 listing of the projects and efficiencies undertaken, the cost
 3 21 of each project, and the benefits, including the projected
 3 22 savings on an annual basis and for the life of the efficiency
 3 23 improvement.

Requires the DGS to use savings **achieved** in providing telecommunications services to increase efficiencies in this area. The **DGS** will report semi-annually on the projects undertaken and the cost savings due to the projects.

3 24 Sec. 5. There is appropriated from the general fund of the
 3 25 state to the department of general services for the fiscal
 3 26 year beginning July 1, 1992, and ending June 30, 1993, the
 3 27 following amounts, or so much thereof as is necessary, to be
 3 28 used for the purposes designated:

3 29 1. CAPITOL PLANNING COMMISSION
 3 30 For expenses of the members in carrying out their duties
 3 31 under chapter 18A:
 3 32 \$ 1,349

General Fund appropriation for expenses of the Capitol Planning Commission. Maintains current level of service.

3 33 2. RENTAL SPACE
 3 34 For payment of lease or rental costs of buildings and
 3 35 office space at the seat of government as provided in section
 4 1 18.12, subsection 9, notwithstanding section 18.16:
 4 2 \$ 549,510

General Fund appropriation for Rental Space.

 DETAIL: This is an increase of \$27,838 compared to the estimated net FY 1992 appropriation. The increased appropriation replaces Department of Public Safety and Public Defender receipts with appropriated funds.

4 3 3. UTILITY COSTS
 4 4 For payment of utility costs:
 4 5 \$ 2,000,000

General Fund appropriation for payment of utility costs on the Capitol Complex.

DETAIL: This is an increase of \$257,827 compared to the estimated net FY 1992 appropriation. Funding should be adequate to pay all utility expenses with no reduction in services.

4 6 The department of general services may use funds
 4 7 appropriated in this subsection for utility costs to fund
 4 8 energy conservation projects in the state capitol complex
 4 9 which will have a 100 percent payback within a 24-month
 4 10 period. The department of general services shall report
 4 11 quarterly to the chairpersons and ranking members of the joint
 4 12 administration appropriations subcommittee, and to the
 4 13 legislative fiscal bureau, concerning the savings generated as
 4 14 a result of implementation of these projects.

Permits the DGS to fund energy conservation projects during FY 1993 having less than a two-year payback. Requires the Department to report quarterly on savings generated as a result of implementing energy conservation projects.

4 15 Notwithstanding sections 8.33 and 18.12, subsection 11, any
 4 16 excess funds appropriated for utility costs in this subsection
 4 17 shall not be deposited in the general fund of the state on
 4 18 June 30, 1993, and these funds shall be used for
 4 19 implementation of energy conservation projects having a
 4 20 payback of 100 percent within a two-year to six-year period.
 4 21 The department of general services shall report semiannually
 4 22 to the Chairpersons and ranking members of the joint
 4 23 administration appropriations subcommittee and to the
 4 24 legislative fiscal bureau. The reports shall include a
 4 25 listing of the projects undertaken, the cost of each project,
 4 26 and the projected savings on an annual basis and for the life
 4 27 of the project.

CODE: Carries forward excess funds from the DGS Utilities Account at the end of FY 1993 for energy conservation projects having a two-year to six-year payback period. Requires the Department to report semi-annually on costs and savings generated as a result of implementing energy conservation projects.

4 28 Sec. 6. There is appropriated from the revolving funds
 4 29 designated to the department of general services for the
 4 30 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 4 31 the following amounts, or so much thereof as is necessary, to
 4 32 be used for the purposes designated:

4 33 1. From the centralized printing permanent revolving fund
 4 34 established by section 18.57 for salaries, support,
 4 35 maintenance, miscellaneous purposes, and for not more than the
 5 1 following full-time equivalent positions:
 5 2 \$ 907,489
 5 3FTEs 28.00

Centralized Printing Permanent Revolving Fund appropriation for operations.

DETAIL: This is a decrease of \$45,351 and no change in FTE positions compared to the estimated net FY 1992 appropriation due to decreased equipment expenditures.

5 4 2. The remainder of the centralized printing permanent
 5 5 revolving fund is appropriated for the expense incurred in
 5 6 supplying paper stock, offset printing, copy preparation,
 5 7 binding, distribution costs, original payment of printing and
 5 8 binding claims and contingencies arising during the fiscal
 5 9 year beginning July 1, 1992, and ending June 30, 1993, which
 5 10 are legally payable from this fund.

Requires the remainder of the Centralized Printing Permanent Revolving Fund to be appropriated for expenses incurred and contingencies which are legally payable from this Fund.

5 11 3. From the centralized purchasing permanent revolving
 5 12 fund established by section 18.9 for salaries, support,
 5 13 maintenance, miscellaneous purposes, and for not more than the
 5 14 following full-time equivalent positions:
 5 15 \$ 641,739
 5 16 FTEs 17.00

Centralized Purchasing Permanent Revolving Fund appropriation for operations.

.DETAIL: This is an increase of \$61,232 and 3.00 FTE positions compared to the estimated net FY 1992 appropriation. The Increase includes the transfer of \$83,132 and 3.00 FTE positions from the Materials Management Division in the DGS. The consolidation is not projected to result in any savings although the transfer reduces expenditures to the General Fund in the amount of \$83,132.

5 17 4. The remainder of the centralized purchasing permanent
 5 18 revolving fund is appropriated for the payment of expenses
 5 19 incurred through purchases by various state departments and
 5 20 for contingencies arising during the fiscal year beginning
 5 21 July 1, 1992, and ending June 30, 1993, which are legally
 5 22 payable from this fund.

Requires the remainder of the Centralized Purchasing Permanent Revolving Fund to be appropriated for expenses incurred and contingencies legally payable from this Fund.

5 23 5. From the vehicle dispatcher revolving fund established

Vehicle Dispatcher Revolving Fund appropriation for

5 24 by section 18.119 for salaries, support, maintenance, miscel-
 5 25 laneous purposes, and for not more than the following full-
 5 26 time equivalent positions:
 5 27 \$ 574,292
 5 28 FTEs 16.00

5 29 6. The remainder of the vehicle dispatcher revolving fund
 5 30 is appropriated for the purchase of gasoline, gasohol, oil,
 5 31 tires, repairs, and all other maintenance expenses incurred in
 5 32 the operation of state-owned motor vehicles and for contin-
 5 33 gencies arising during the fiscal year beginning July 1, 1992,
 5 34 and ending June 30, 1993, which are legally payable from this
 5 35 fund.

6 1 The vehicle dispatcher shall report, not later than January
 6 2 2, 1993, to the chairpersons and the ranking members of the
 6 3 joint administration appropriations subcommittee and to the
 6 4 legislative fiscal bureau regarding the efficiencies of the
 6 5 vehicle fleet and the changes in the efficiencies. The report
 6 6 shall include the cost per mile, fuel efficiencies,
 6 7 maintenance costs, useful life, the costs of extending the
 6 8 useful life, and other measures which the vehicle dispatcher
 6 9 or the legislative fiscal bureau finds appropriate. The
 6 10 information shall be reported for each general type of
 6 11 vehicle. The overhead costs shall also be reported with the
 6 12 total costs of the vehicle dispatcher operations.

6 13 The department of general services shall report
 6 14 semiannually in January and July, the results of the project
 6 15 testing the potential for burning an 85 percent ethanol
 6 16 mixture in the state's test vehicles. The report shall
 6 17 include, but is not limited to, purchase costs, maintenance
 6 18 costs, average mileage, vehicle life, problems encountered,
 6 19 and likely benefits.

6 20 Sec. 7. There is appropriated from the general fund of the
 6 21 state to the offices of the governor and the lieutenant

operations.

DETAIL: This is a decrease of \$21,494 and no change
 in FTE positions compared to the estimated net FY
 1992 appropriation.

Requires the remainder of the Vehicle Dispatcher
 Revolving Fund to be appropriated for expenses
 incurred and contingencies legally payable from this
 Fund.

Requires the Vehicle Dispatcher Division to report by
 January 2, 1993 on the efficiencies of the vehicle
 fleet.

DETAIL: This report should illustrate the effect of
 extending vehicle life due to the reduction of \$3.8
 million in the Motor Vehicle Dispatcher Depreciation
 Fund which was transferred to the General Fund during
 the 1991 Legislative Session.

Requires the Department to report semi-annually on
 the results of the State's flexible-fuel (85.0%
 ethanol) test vehicles.

6 22 governor for the fiscal year beginning July 1, 1992, and
 6 23 ending June 30, 1993, the following amounts, or so much
 6 24 thereof as is necessary, to be used for the purposes
 6 25 designated:

6 26 1. For salaries, support, maintenance, and miscellaneous
 6 27 purposes for the general office of the governor and the
 6 28 general office of the lieutenant governor, and for not more
 6 29 than the following full-time equivalent positions:
 6 30 \$ 941,666
 6 31 FTEs 17.00

General Fund appropriation for the General Office of the Governor and the Lieutenant Governor.

NOTE: House File 2486 (Standings Appropriations Limitations Bill) appropriated an additional \$50,000 for the General office. These 2 appropriations provide an increase of \$39,075 compared to the estimated net FY 1992' appropriation.

6 32 2. For the governor's expenses and the lieutenant
 6 33 governor's expenses connected with office:
 6 34 \$ 2,597

General Fund appropriation for the Governor's and the Lieutenant Governor's expenses of Office. Maintains current level of service.

6 35 3. For salaries, support, maintenance, and miscellaneous
 7 1 purposes for the governor's quarters at Terrace Hill, and for
 7 2 not more than the following full-time equivalent positions:
 7 3 \$ 86,100
 7 4 FTEs 2.50

General Fund appropriation for the Governor's Terrace Hill quarters.

DETAIL: This is a decrease of \$4,515 and 0.03 FTE positions compared to the estimated net FY 1992 appropriation.

7 5 4. The ad hoc committees, councils, and task forces
 7 6 appointed by the governor are subject to chapters 21 and 22
 7 7 and the members and the staff shall be so informed. For the
 7 8 payment of expenses of ad hoc committees, councils, and task
 7 9 forces appointed by the governor to research and analyze a
 7 10 particular subject area relevant to the problems and
 7 11 responsibilities of state and local government, including the
 7 12 employment of professional, technical, and administrative
 7 13 staff and the payment of per diem and actual expenses of
 7 14 committee, council, or task force members as specified
 7 15 pursuant to section 7E.6:
 7 16 \$ 1,731

General Fund appropriation for the Governor's ad hoc committees. Maintains current level of service.

7 17 A member shall not receive a per diem if the member is
7 18 receiving a salary as a full-time public employee, but members
7 19 shall be reimbursed for actual and necessary expenses.

Prohibits public employees from receiving per diem reimbursements when they are also receiving a salary for the meeting days.

7 20 5. For salaries, support, maintenance, and miscellaneous
7 21 purposes for the office of administrative rules coordinator,
7 22 and for not more than the following full-time equivalent
7 23 positions:

General Fund appropriation to the Governor's Administrative Rules Coordinator.

7 24 \$ 88,293
7 25 FTEs 1.74

DETAIL: This is a decrease of \$4,630 and no change in FTE positions compared to the estimated net FY 1992 appropriation. The Governor's Office has indicated there could be a further reduction in part-time staffing.

7 26 6. For payment of Iowa's membership in the national
7 27 governors' conference:
7 28 \$ 78,353

General Fund appropriation for the National Governors' Conference membership.

7 29 Sec. 8. There is appropriated from the general fund of the
7 30 state to the office of the drug enforcement and abuse
7 31 prevention coordinator for the fiscal year beginning July 1,
7 32 1992, and ending June 30, 1993, the following amounts, or so
7 33 much thereof as is necessary, to be used for the purposes
7 34 designated:

7 35 1. For salaries, support, maintenance, miscellaneous
8 1 purposes, and for not more than the following full-time
8 2 equivalent positions:
8 3 \$ 138,657
8 4 FTEs 7.50

General Fund appropriation to the Drug Enforcement and Abuse Prevention Coordinator.

DETAIL: This is a decrease of \$7,225 and 2.50 FTE positions compared to the estimated net FY 1992 appropriation.

The Office has indicated that half the reduction will come from the Governor's Alliance on Substance Abuse (GASA). This reduces the State match and cuts federal funding for administration by approximately \$13,000 for a total reduction for GASA of

approximately \$17,000. The Office expects to eliminate a \$15,000 contract with the State Auditor's Office for monitoring of confidential expenditures by law enforcement agencies participating in the grant program. Reductions of approximately \$2,000 will be made to printing and travel. The Office will visit approximately half of the 90 grant projects. The federal funding that is not used for administration is available for grants to State and local agencies.

The remaining half of the decrease will be taken from the Iowa SAFE Communities Program. The Office has indicated that various reductions will be made, such as eliminating the newsletter for the SAFE Communities and the SAFE Conference.

General Fund appropriation to the Iowa Substance Abuse Information Clearinghouse in Cedar Rapids.

DETAIL: This is a decrease of \$1,815 compared to the estimated net FY 1992 appropriation. The Office has indicated the Clearinghouse will make reductions to materials, supplies, and services.

General Fund appropriation to the Department of Management (DOM).

DETAIL: This is a decrease of \$35,879 and an increase of 1.00 FTE position compared to the estimated net FY 1992 appropriation.

NOTE: The appropriation to the DOM was increased by \$35,000 in Section 53 of HF 2486, resulting in an overall decrease of \$879 compared to the estimated net FY 1992 appropriation.

Road Use Tax Fund (RUTF) appropriation to the DOM for

8 5 2. The drug enforcement and abuse prevention coordinator
 8 6 shall use the amount appropriated in this subsection to match
 8 7 and obtain available federal funds, the total amount of these
 8 8 funds to be used for the costs of the clearinghouse.
 8 9 For the Iowa substance abuse clearinghouse in Cedar Rapids
 8 10 for staff, materials, and operating expenses:
 8 11 \$ 34,625

8 12 Sec. 9. There is appropriated from the general fund of the
 8 13 state to the department of management for the fiscal year
 8 14 beginning July 1, 1992, and ending June 30, 1993, the
 8 15 following amount, or so much thereof as is necessary, to be
 8 16 used for the purposes designated:
 8 17 For salaries, support, maintenance, miscellaneous purposes,
 8 18 and for not more than the following full-time equivalent
 8 19 positions:
 8 20 \$ 1,474,360
 8 21 FTEs 29.00

8 22 Sec. 10. There is appropriated from the road use tax fund

8 23 to the department of management for the fiscal year beginning
 8 24 July 1, 1992, and ending June 30, 1993, the following amount,
 8 25 or so much thereof as is necessary, to be used for the
 8 26 purposes designated:
 8 27 For salaries, support, maintenance, and miscellaneous
 8 28 purposes:
 8 29 \$ 56,000

support and service to the Department of Transportation (DOT).

DETAIL: This is an increase of \$1,000 compared to the estimated net FY 1992 appropriation.

8 30 The department of management shall report to the
 8 31 chairpersons and ranking members of the senate and house
 8 32 committees on appropriations, the chairpersons and ranking
 8 33 members of the joint administration appropriations
 8 34 subcommittee, the legislative fiscal committee, and the
 8 35 legislative fiscal bureau, the number of furloughs and the
 9 1 number of layoffs that occur in each state agency, the savings
 9 2 associated with those furloughs and layoffs, the effect of the
 9 3 furloughs and layoffs on services provided by the state
 9 4 agency, and other relevant information. The department shall
 9 5 provide a year-end report **summarizing** the information for
 9 6 fiscal year 1992 on or before September 1, 1992. The
 9 7 department shall continue this reporting for fiscal year 1993.
 9 8 A report on the first five months of the fiscal year is due by
 9 9 January 2, 1993, and a year-end report is due by September 1,
 9 10 1993.

Requires the DOM to report semi-annually for all of State government on the number of furloughs and layoffs, the savings attributable to the furloughs and to layoffs, and the effects of the furloughs and layoffs on services.

9 11 Sec. 11. There is appropriated from the general fund of
 9 12 the state to the department of management for the fiscal year
 9 13 beginning July 1, 1992, and ending June 30, 1993, the
 9 14 following amounts, or so much thereof as is necessary, to be
 9 15 used for the purposes designated:

9 16 1. COUNCIL OF STATE GOVERNMENTS
 9 17 For support of the membership assessment:
 9 18 \$ 67,338

General Fund appropriation to the DOM for the cost of membership in the Council of State Governments.

9 19 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS
 9 20 For reimbursements to local law enforcement agencies for

General Fund appropriation to the DOM for law enforcement training reimbursements.

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9 21 the training of officers who resign pursuant to section
 9 22 384.15, subsection 7:
 9 23 \$ 50,000

DETAIL: This is a reduction of \$62,053 compared to the estimated net FY 1992 appropriation. The appropriation pays for reimbursement of law enforcement training expenses incurred by local law enforcement agencies when law enforcement officers resign within 4 years of receiving training.

9 24 **Sec. 12.** There is appropriated from the general fund of
 9 25 the state to the department of personnel for the fiscal year
 9 26 beginning July 1, 1992, and ending June 30, 1993, the
 9 27 following amounts, or *so* much thereof as is necessary, to be
 9 28 used for the purposes designated including the filing of
 9 29 quarterly reports as required in the section:

9 30 **1. ADMINISTRATION**
 9 31 For salaries, support, maintenance, and miscellaneous
 9 32 purposes for the director's staff, office services, data-word
 9 33 processing, and employment law and labor relations, and for
 9 34 not more than the following full-time equivalent positions:
 9 35 \$ 1,263,554
 10 1 FTEs 33.25

General Fund appropriation to the Department of Personnel's (IDOP) Administration Division. Also includes funds for support, maintenance, and miscellaneous purposes for personnel assigned to the Field Services Division, the Program Management Division, and the compensation and Benefits Division.

DETAIL: This is an increase of \$149,372 and 4.60 FTE positions compared to the estimated net FY 1992 appropriation. Training due to the Americans with Disabilities Act (ADA) will be curtailed.

NOTE: The IDOP's budget units have been revised from prior years. In prior years, the Compensation and Benefits Bureau's appropriation was spread among 3 appropriations. To ease budgeting, the Compensation and Benefits appropriation has been placed in a single line-item. Overall, for the entire Department, there is a decrease of \$221,627 and 2.00 FTE positions compared to the estimated net FY 1992 appropriation. The changes within the Department reflect the combination of this decrease and the

10 2 2. FIELD SERVICES

10 3 For salaries for the personnel services and for not more
10 4 than the following full-time equivalent positions:

10 5	\$	673,838
10 6	FTEs	27.00

redistribution of the appropriations.

General Fund appropriation to the IDOP Field Services Division.

DETAIL: This is a decrease of \$600,253 and 17.60 FTE positions compared to the estimated net FY 1992 appropriation. The Department reports that the review and updating of the employee job classification system will not be undertaken due to the reduced level of funding. Review of the job classification system is a Department responsibility contained in the Code of Iowa.

10 7 3. PROGRAM MANAGEMENT

10 8 a. For salaries for employment and training, and for not
10 9 more than the following full-time equivalent positions:

10 10	\$	618,565
10 11	FTEs	24.00

General Fund appropriation to the IDOP Program Management Division.

DETAIL: This is a decrease of \$437,774 and 10.00 FTE positions compared to the estimated net FY 1992 appropriation. The course offerings for employee training will not be updated.

10 12 b. For salaries for compensation and benefits and for the
10 13 administration of the workers' compensation fund and for not
10 14 more than the following full-time equivalent positions:

10 15	\$	802,036
10 16	FTEs	25.00

General Fund appropriation to the IDOP Compensation and Benefits Division.

DETAIL: This is an increase of \$667,028 and 21.00 FTE positions compared to the estimated net FY 1992 appropriation.

10 17 Any funds received by the department for workers'
10 18 compensation purposes other than the funds appropriated in
10 19 paragraph b shall be used only for the payment of workers'
10 20 compensation claims.

Requires the funds be used for the administration of workers' compensation in the IDOP.

10 21 The funds for support, maintenance, and miscellaneous
10 22 purposes for personnel assigned to field operations under
10 23 subsection 2 and program management under subsection 3 are

Clarifies that support costs for the Field Services Division and the Program Management Division are contained in the Administration Division.

10 24 payable from the appropriation made in subsection 1.

10 25 The department of personnel shall report quarterly to the
10 26 chairpersons and ranking members of the joint administration
10 27 appropriations subcommittee concerning the number of vacancies
10 28 in existing full-time equivalent positions and the average
10 29 time taken to fill the vacancies. The reports shall include
10 30 quarterly and annual averages organized according to state
10 31 agency and general occupational category as established by the
10 32 federal equal employment opportunity commission. All
10 33 departments and agencies of the state shall cooperate with the
10 34 department in the preparation of the reports.

Requires the IDOP to report quarterly on the average time to fill vacancies, organized by State agency and general occupational category.

DETAIL: Requires all departments to cooperate with the IDOP in preparing the reports. The resulting report will provide information to evaluate hiring procedures and the availability of funds due to vacancies.

10 35 Sec. 13. There is appropriated from the Iowa public
11 1 employees' retirement system fund to the department of
11 2 personnel for the fiscal year beginning July 1, 1992, and
11 3 ending June 30, 1993, the following amounts, or so much
11 4 thereof as is necessary, to be used for the purposes
11 5 designated:

11 6 1. For salaries, support, maintenance, and other
11 7 operational purposes to pay the costs of the Iowa public
11 8 employees' retirement system:
11 9 \$ 3,279,418

Iowa Public Employees' Retirement System (IPERS) Fund appropriation to the IDOP to pay the costs of administering the IPERS System.

DETAIL: This is an increase of \$275,997 compared to the estimated net FY 1992 appropriation. The increased funding will be used to:

- 1. Purchase a collapsible file system.
- 2. Meet the cost allocation requirements of SF 529 which was passed during the 1991 Legislative Session.
- 3. Purchase equipment and software for the Human Resource Information System (HRIS).
- 4. Fund increased auditor costs.

11 10 It is the intent of the general assembly that the Iowa

Directs the IPERS Division to employ a sufficient

11 11 public employees' retirement system employ sufficient staff
11 12 within the appropriation provided in this section to meet the
11 13 developing requirements of the investment program.

number of staff to meet the requirements of the Program.

DETAIL: For purposes of tracking FTE positions, the IPERS Division staffing level is 55.80 FTE positions.

11 14 2. For design, development, and implementation of the data
11 15 information system:

IPERS Fund appropriation for Phase 3 of the IPERS HRIS. Maintains current level of funding.

11 16 \$ 783,000

DETAIL: The appropriation will fund the third and final phase of the HRIS. The system will replace outdated pension and employment information systems and will provide greater data manipulation, accessibility, and more efficient data storage. The information system will be used by both the IPERS and the IDOP.

11 17 a. Notwithstanding section 8.33, funds appropriated in
11 18 this subsection that remain unencumbered or unobligated on
11 19 June 30, 1993, shall not revert to the Iowa public employees'
11 20 retirement system fund but shall be available for expenditure
11 21 in subsequent years to complete the data information system.

CODE: Requires that unexpended funds 'not revert at the end of FY 1993 and be used in subsequent years to complete the HRIS.

11 22 b. The department of personnel shall report on or before
11 23 January 1, 1993, and each six months thereafter until the data
11 24 information system is fully implemented to the chairpersons
11 25 and ranking members of the joint administration appropriations
11 26 subcommittee and to the legislative fiscal bureau, on the
11 27 progress made in implementing the data information system.
11 28 The report shall include, but is not limited to, moneys spent
11 29 and encumbered, progress made relative to the scheduled
11 30 implementation, and benefits or anticipated benefits of the
11 31 system.

Requires the IDOP to report by January 1, 1993, and semi-annually thereafter on the progress of the HRIS implementation.

11 32 c. The department of personnel shall report to the
11 33 chairpersons and ranking members of the joint administration
11 34 appropriations subcommittee and to the legislative fiscal

Requires the IDOP to report semi-annually on the results and effectiveness of the Wellness Program Pilot Project.

11 35 bureau the results and effectiveness of the wellness program
 12 1 pilot project developed and tested by the department of
 12 2 personnel in conjunction with the state department of
 12 3 transportation. The department of personnel shall submit the
 12 4 reports in June and December of each year of the project's
 12 5 existence and shall submit a final report upon completion of
 12 6 the project.

12 7 d. The department of personnel shall submit, annually, a
 12 8 report to the chairpersons and ranking members of the joint
 12 9 administration appropriations subcommittee and to the
 12 10 legislative fiscal bureau regarding the results of the state's
 12 11 top achievement recognition program. The reports submitted
 12 12 shall include, but are not limited to, identification of the
 12 13 recipients, a description of the meritorious achievements, and
 12 14 the awards conferred.

12 15 Sec. 14. There ~~is~~ appropriated from the primary road fund
 12 16 to the department of personnel for the fiscal year beginning
 12 17 July 1, 1992, and ending June 30, 1993, the following amount,
 12 18 or so much thereof as is necessary, to be used for the
 12 19 purposes designated:
 12 20 For salaries, support, maintenance, and miscellaneous
 12 21 purposes to provide personnel services for the state
 12 22 department of transportation:
 12 23 \$ 275,346

12 24 Sec. 15. There is appropriated from the road use tax fund
 12 25 to the department of personnel for the fiscal year beginning
 12 26 July 1, 1992, and ending June 30, 1993, the following amount,
 12 27 or so much thereof as is necessary, to be used for the
 12 28 purposes designated:
 12 29 For salaries, support, maintenance, and miscellaneous
 12 30 purposes to provide personnel services for the state
 12 31 department of transportation:
 12 32 \$ 44,824

Requires the IDOP to report annually the results of the State Top Achievement Recognition Award (STAR) Program.

Primary Road Fund (PRF) appropriation to the IDOP.

DETAIL: This is a decrease of \$55,321 compared to the estimated net FY 1992 appropriation. The appropriation funds the expenses incurred by the IDOP for the DOT personnel services. The personnel function of the DOT was moved during the 1991 Legislative Session to the Field Services Division of the IDOP along with 7.00 FTE positions which were included in the Field Services FTE position cap.

RUTF appropriation to the IDOP.

DETAIL: This is an increase of \$11,995 compared to the estimated net FY 1992 appropriation. The appropriation funds the expenses incurred by the IDOP for the DOT personnel services.

Overall, the IDOP will receive \$320,170 from both the RUTF and the PRF, of which \$60,000 will go to the

12 33 Sec. 16. There is appropriated from the general fund of
 12 34 the state to the department of revenue and finance for the
 12 35 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 13 1 the following amounts, or so much thereof as is necessary, to
 13 2 be used for the purposes designated, and for not more than the
 13 3 following full-time equivalent positions used for the purposes
 13 4 designated in subsections 1 through 6:
 13 5 FTEs 643.75

Administration Division of the IDOP and \$260,170 will go to the Field Services Division of the IDOP.

Establishes the overall FTE position cap for the Department of Revenue and Finance (DRF).

DETAIL: This is an increase of 9.08 FTE positions compared to the estimated net FY 1992 appropriation. The total FTE positions reflect General Fund supported and Motor Vehicle Fuel Tax (MVFT) Fund (unapportioned) supported positions. Although FTE positions are not appropriated at the program level to allow flexibility in meeting staffing needs, the General Fund supported FTE positions are indicated in the LFB tracking document according to the level of funding provided and for the purposes of tracking.

13 6 1. ADMINISTRATION
 13 7 For salaries, support, maintenance, and miscellaneous
 13 8 purposes:
 13 9 \$ 1,030,809

General Fund appropriation to the DRF for Administration.

DETAIL: This is an increase of \$40,004 compared to the estimated net FY 1992 appropriation due to the increased tax enforcement package.

13 10 2. AUDIT AND COMPLIANCE
 13 11 For salaries, support; maintenance, and miscellaneous
 13 12 purposes:
 13 13 \$ 10,510,955

General Fund appropriation to the DRF for Audit and Compliance.

DETAIL: This is an increase of \$703,610 and 4.00 FTE positions compared to the estimated net FY 1992 appropriation due to the increased tax enforcement package.

FISCAL IMPACT: The increased tax enforcement package funds a total of 45.00 FTE positions costing \$1.3 million and is estimated to generate \$4.0 million in additional revenue, for a net positive impact of \$2.7 million. The funding and FTE positions for increased

<p>13 14 3. FINANCIAL MANAGEMENT 13 15 For salaries, support, maintenance, and miscellaneous 13 16 purposes: 13 17 \$ 6,941,884</p>	<p>tax enforcement are spread among the various divisions of the DRF.</p> <p>General Fund appropriation to the DRF for Financial Management.</p> <p>DETAIL: This is an increase of \$549,044 and 0.03 FTE position compared to the estimated net FY 1992 appropriation for increased tax enforcement and centralized collections. The centralized collections expenditures in FY 1993 are for consultant services (\$150,000) and collections equipment (\$300,000). The collections equipment includes a predictive dialer system which can target the highest returning accounts.</p>
<p>13 18 4. INFORMATION AND MANAGEMENT SYSTEMS 13 19 For salaries, support, maintenance, and miscellaneous 13 20 purposes: 13 21 \$ 1,918,680</p>	<p>The collections equipment has a total cost of \$600,000. The Department plans to lease-purchase the collections equipment over 2 years. The remainder of the increased appropriation is due to the increased tax enforcement package.</p> <p>General Fund appropriation to the DRF for Information and Management Services.</p> <p>DETAIL: This is an increase of \$19,605 and a decrease of 2.00 FTE positions compared to the estimated net FY 1992 appropriation.</p>
<p>13 22 5. LOCAL GOVERNMENT SERVICES 13 23 For salaries, support, maintenance, and miscellaneous 13 24 purposes: 13 25 \$ 1,271,700</p>	<p>General Fund appropriation to the DRF for Local Government Services.</p> <p>DETAIL: This is a decrease of \$55,078 and 0.85 FTE position compared to the estimated net FY 1992 appropriation.</p>
<p>13 26 6. TECHNICAL SERVICES</p>	<p>General Fund appropriation to the DRF for Technical</p>

13 27 For salaries, support, maintenance, and miscellaneous
 13 28 purposes:
 13 29 \$ 2,512,259

Services.

DETAIL: This is an increase of \$459,685 and 8.00 FTE positions compared to the estimated net FY 1992 appropriation due to the increased tax enforcement package.

13 30 7. INSURANCE PREMIUMS
 13 31 For payments of medical, dental, and life insurance
 13 32 premiums as required in section 79.23:
 13 33 \$ 460,000

General Fund appropriation for retirees' insurance premiums.

DETAIL: This is an increase of \$124,366 compared to the estimated net FY 1992 appropriation. The appropriation funds life and health insurance premiums for employees retiring under the Peace Officers' Retirement System.

13.34 8. SECURITY DEPOSITS
 13 35 For payments of refunds on security deposits as required in
 14 1 section 422.52:
 14 2 \$ 600,000

General Fund appropriation for sales tax security deposit payments.

DETAIL: This is an increase of \$120,523 compared to the estimated net FY 1992 appropriation.

14 3 9. RECORDING FEES
 14 4 For payment of recording fees pursuant to section 422.26:
 14 5 \$ 48,375

General Fund appropriation to the DRF for the payment of collection fees and costs. Maintains the current level of funding.

DETAIL: The appropriation pays the costs associated with liens and collections costs. The expansion of the drug stamp tax has increased this account's utilization.

14 6 10. a. The department of revenue and finance shall not
 14 7 change the appropriations for the purposes designated in
 14 8 subsections 1 through 8 from the amounts appropriated in those
 14 9 subsections unless notice of the revisions is given prior to
 14 10 their effective date to the legislative fiscal bureau. The
 14 11 notice shall include information on the department's rationale

Requires the DRF to notify the LFB prior to any modifications or revisions from the above line-item appropriations.

14 12 for making the changes.

14 13 b. The director shall report annually to the legislative
 14 14 fiscal committee, the legislative fiscal bureau, and the
 14 15 chairpersons and ranking members of the joint administration
 14 16 appropriations subcommittee concerning the effectiveness of
 14 17 the tax audits and investigations conducted, the moneys
 14 18 expended, the tax obligations established, and taxes collected
 14 19 as a result of the tax collection and enforcement efforts of
 14 20 the department.

Requires the DRF to report annually on the cost and effectiveness of tax audits and investigations conducted.

14 21 c. The department of revenue and finance shall report
 14 22 quarterly to the legislative fiscal bureau concerning progress
 14 23 in the implementation of generally accepted accounting
 14 24 principles, including determination of reporting entities,
 14 25 fund classifications, modification of the Iowa financial
 14 26 accounting system, progress on preparing a comprehensive
 14 27 annual financial report, and the most current estimate of the
 14 28 general fund balance based on current generally accepted
 14 29 accounting principles.

Requires the DRF to report quarterly to the LFB on the progress of implementing Generally Accepted Accounting Principles (GAAP).

14 30 Sec. 17. There is appropriated from the lottery fund to
 14 31 the department of revenue and finance for the fiscal year
 14 32 beginning July 1, 1992, and ending June 30, 1993, the
 14 33 following amount, or so much thereof as is necessary, to be
 14 34 used for the purposes designated:

Iowa Plan Fund appropriation to the DRF for the administration of the Lottery Division.

14 35 For salaries, support, maintenance, miscellaneous purposes,
 15 1 and for not more than the following full-time equivalent posi-
 15 2 tions:

DETAIL: This is a decrease of \$223,647 and 10.88 FTE positions compared to the estimated net FY 1992 appropriation due to reduced expenditures on personal services.

15 3	\$ 7,217,285
15 4 FTEs	138.55

15 5 Sec. 18. There is appropriated from the 'motor vehicle fuel
 15 6 tax fund created by section 324.77 to the department of
 15 7 revenue and finance for the fiscal year beginning July 1,
 15 8 1992, and ending June 30, 1993, the following amount, or so
 15 9 much thereof as is necessary, to be used for the purposes

MVFT Fund appropriation for administration and enforcement of the Motor Vehicle Use Tax Program.

DETAIL: This is an increase of \$234,126 compared to the estimated net FY 1992 appropriation. This

15 10 designated:
 15 11 For salaries, support, maintenance, and miscellaneous
 15 12 purposes for administration and enforcement of the provisions
 15 13 of chapter 324 and the motor vehicle use tax program:
 15 14 \$ 1,283,202

appropriation is based on 5.00% of the Department's operations appropriation.

15 15 Sec. 19. There is appropriated from the general fund of
 15 16 the state to the department of revenue and finance for the
 15 17 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 15 18 the following amount, or so much thereof as is necessary, for
 15 19 the following purpose only if Monroe county is not reimbursed
 15 20 for the machinery and computer equipment tax replacement with
 15 21 money appropriated pursuant to section 4278.13:
 15 22 To reimburse, under section 4278.12, the taxing districts
 15 23 of Monroe county for machinery and computer equipment tax
 15 24 replacement pursuant to sections 4278.10 through 4278.12 and
 15 25 4278.14:
 15 26 \$ 470,000

General Fund appropriation to the DRF to reimburse Monroe County for extraordinary expenses associated with the Machinery and Computer Equipment Tax Credit. This is a one-time appropriation to Monroe County.

15 27 [If a state agency, other than the department of revenue and
 15 28 finance, has outstanding accounts receivable over six months
 15 29 which are delinquent, the state agency shall issue a request
 15 30 for proposal to private collection agencies to collect the
 15 31 outstanding delinquent accounts receivable. State agencies
 15 32 shall report to the department of revenue and finance by
 15 33 January 1, 1993, on the costs and returns associated with this
 15 34 section.]

VETOED

Requires State agencies, other than the DRF, having outstanding accounts receivable to Issue a Request For Proposal (RFP) for the collection of the outstanding accounts receivable by private collection firms. The State agencies are required to report to the DRF by January 1, 1993, on the potential costs and returns associated with this section.

VETOED: The Governor vetoed this section stating that the timing of turning collections over to private collection agencies should be determined by individual State agencies rather than requiring agencies to turn the collections over after they are delinquent for 6 months.

15 35 Sec. 20. There is appropriated from the general fund of
 16 1 the state to the office of the secretary of state for the
 16 2 fiscal year beginning July 1, 1992, and ending June 30, 1993,

16 3 the following amounts, or so much thereof as is necessary, to
 16 4 be used for the purposes designated:

16 5 1. ADMINISTRATION AND ELECTIONS

16 6 For salaries, support, maintenance, relocation of office
 16 7 facilities outside of the state capitol building,
 16 8 miscellaneous purposes, and for not more than the following
 16 9 full-time equivalent positions:

16 10 .....	:	.....	\$	445,013
16 11			FTEs	10.00

General Fund appropriation to the Administration and Elections Division of the Office of the Secretary of State.

16 12 2. BUSINESS SERVICES

16 13 For salaries, support, maintenance, miscellaneous purposes,
 16 14 and for not more than the following full-time equivalent
 16 15 positions:

16 16 .....	:	.....	\$	1,489,825
16 17			FTEs	40.00

General Fund appropriation to the Business Services Division of the Office of the Secretary of State.

DETAIL: The appropriation for the Office of the Secretary of State was divided into 2 budget units for FY 1993 to improve expenditure oversight. The Administration and Elections Division includes the Secretary of State, general administrative staff, and the staff that oversee elections and respond to inquiries about election rules. The Business Services Division handles the various corporate and Uniform Commercial Code filings.

For the total budget, there is a decrease of \$101,456 and an increase of 2.83 FTE positions compared to the estimated net FY 1992 appropriation. The FTE position cap remains at the FY 1992 appropriated level. The Secretary of State has indicated that the proposed funding level may not be adequate to maintain the current staffing level which is estimated to be 47.17 FTE positions in FY 1992.

The budget provides continued funding for the purchase of optical disk equipment and continued automation of the Office. This is the second year of a four-year automation project. The total

anticipated project costs are between \$1.75 million and \$2.0 million. The reduction in funding compared to the estimated net FY 1992 appropriation may slow the conversion to the optical imaging system.

The Office did not request funding for printing the Official Register in FY 1993. After consulting with the DOM, it was decided that funding should be requested in FY 1994. While the expenditures for printing the Register occur in odd-numbered fiscal years, payment typically is not made until the subsequent, even-numbered fiscal year.

General Fund appropriation to the Office of State-Federal Relations.

DETAIL: This is a decrease of \$10,528 and 0.02 FTE position compared to the estimated net FY 1992 appropriation.

16 18 Sec. 21. There is appropriated from the general fund of
 16 19 the state to the office of state-federal relations for the
 16 20 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 16 21 the following amount, or so much thereof as is necessary, to
 16 22 be used for the purposes designated:
 16 23 For salaries, support, maintenance, miscellaneous purposes,
 16 24 and for not more than the following full-time equivalent posi-
 16 25 tions:

16 26	\$	200,768
16 27	FTEs	2.83

General Fund appropriation to the Office of the Treasurer.

DETAIL: This is a decrease of \$26,630 and an increase of 3.00 FTE positions compared to the estimated net FY 1992 appropriation. The Office's reimbursements will increase by approximately \$79,000 to recover the administrative costs for investing non-General Fund monies. In previous years, the Office absorbed these costs within its General Office budget. The Office will provide clerical and secretarial support for the Executive Council beginning in FY 1993. The above appropriation

16 28 Sec. 22. There is appropriated from the general fund of
 16 29 the state to the office of treasurer of state for the fiscal
 16 30 year beginning July 1, 1992, and ending June 30, 1993, the
 16 31 following amount, or so much thereof as is necessary, to be
 16 32 used for the purposes designated:
 16 33 For salaries, support, maintenance, relocation of office
 16 34 facilities outside of the state capitol building,
 16 35 miscellaneous purposes, and for not more than the following
 17 1 full-time equivalent positions:

17 2	\$	732,493
17 3	FTEs	28.80

17 4 The office of treasurer of state shall supply clerical and
17 5 secretarial support for the executive council.

17 6 [Sec. 23. STATE CAPITOL OFFICES VACATED. The auditor of
17 7 state, secretary of state, and treasurer of state, and their
17 8 staff shall vacate their respective office facilities in the
17 9 state capitol building on or before December 1, 1992, so as to
17 10 provide more effective and efficient management and operation
17 11 of state government. The auditor of state, secretary of
17 12 state, and treasurer of state shall cooperate with the
17 13 legislative council pursuant to section 2.43 and the director
17 14 of the department of general services in relocating their
17 15 respective offices to other buildings within the state capitol
17 16 complex as provided in section 18.12, subsection 9. The
17 17 legislative council may authorize the use of formal personal
17 18 office facilities in the state capitol building by the auditor
17 19 of state, secretary of state, and treasurer of state.]

VETOED

includes \$35,000 for salary and benefits for the current Executive Council secretary. Office supply and support costs are to be absorbed by the Office.

The net effect is that the Office of the Treasurer will be funded at approximately the same level as the estimated net FY 1992 appropriation. The Treasurer indicated that the Office can operate at this level without compromising internal accounting controls.

Requires the Office of the Treasurer to provide clerical and secretarial support for the Executive Council.

Requires the Auditor, Secretary of State, and Treasurer to move their offices from the Capitol Building by December 1, 1992. The Offices are required to cooperate with the Legislative Council and the DGS in moving to other space on the Capitol Complex. The Legislative Council is permitted to authorize formal personal office space for the elected officials who move out of the Capitol Building.

FISCAL IMPACT: The DGS estimates moving costs will be approximately \$290,000. This provides for construction of offices for elected officials comparable to those of department directors, adds fire resistant storage areas as needed, moves furniture, and pays related costs. Costs for the consolidation of office space are assumed to be part of DGS's on-going program for improved space utilization and moving State agencies onto the Capitol Complex.

VETOED: The Governor vetoed this section stating that it is appropriate for statewide elected

17 20 Sec. 24. IOWA SPECIAL OLYMPICS FUND. There is appro-
 17 21 priated from the general fund of the state to the Iowa special
 17 22 olympics fund for the fiscal year beginning July 1, 1992, and
 17 23 ending June 30, 1993, the following amount, or *so* much thereof
 17 24 as is necessary, to be used for the purpose designated:
 17 25 For the Iowa special olympics fund established in the
 17 26 office of the treasurer of state:
 17 27 \$ 4,837

officials to continue to be housed in the Capitol Building.

General Fund appropriation to the Office of the Treasurer for the Iowa Special Olympics. Maintains the current level of service.

17 28 The moneys in the Iowa special olympics fund shall be
 17 29 expended at the request of the honorary chairperson of the
 17 30 Iowa special olympics.

Requires the funds to be spent at the request of the honorary chairperson of the Iowa Special Olympics.

17 31 [Sec. 25. Notwithstanding the standing appropriation in
 17 32 section 307.45, and 1991 Iowa Acts, chapter 267, section 507,
 17 33 there is appropriated from the general fund of the state to
 17 34 the city of Guttenberg to pay the cost of a public improvement
 17 35 assessment against the state-owned land the following amount:
 18 1 \$ 37,911]

VETOED

CODE: Notwithstands the cap on the Public Improvements Standing Unlimited Appropriation and makes a General Fund appropriation to the City of Guttenberg to pay for assessments for public improvements to State-owned properties.

DETAIL: House File 479, passed during the 1991 legislative session, required that no funds be spent through the standing unlimited appropriation for public improvements in FY 1992. Thus, local governments are not being paid for improvements to State properties in FY 1992. As part of a downtown revitalization project, Guttenberg has incurred these expenses for the repair or replacement of sidewalks, streets, and drainage around an aquarium and fish hatchery operated by the Department of Natural Resources.

VETOED: The Governor vetoed this section citing the current financial condition of the State and stating that it is anticipated that monies will be available

18 2 [Sec. 26. Notwithstanding section 8.55, the moneys in the **VETOED**
 18 3 Iowa economic emergency fund are transferred to the general
 18 4 fund of the state if necessary to avoid a deficit in the
 18 5 general fund of the state and to defray expenses at the
 18 6 conclusion of the fiscal year beginning July 1, 1992, and
 18 7 ending June 30, 1993.]

in FY 1993 to pay the assessment.

CODE: Requires monies in the Iowa Economic Emergency Fund to be transferred to the General Fund if necessary to avoid a deficit in the General Fund and to defray expenses at the conclusion of FY 1993.

VETOED: The Governor vetoed this section stating that the Iowa Economic Emergency Fund was substantially modified by Senate File 2351 (Expenditure Limitations Bill) and this section conflicts with those modifications.

18 8 Sec. 27. IMPLEMENTATION OF FUNDING REDUCTIONS -- INTENT OF
 18 9 GENERAL ASSEMBLY. It is the intent of the general assembly
 18 10 that the departments, agencies, and offices of the executive
 18 11 department of state government shall implement funding
 18 12 reductions through organizational changes which reduce
 18 13 supervisory positions, vertically and horizontally, and
 18 14 increase the span of control of the remaining supervisors as
 18 15 recommended by the governor's committee on government spending
 18 16 reform.

Specifies that agencies shall implement funding reductions through flattening the organizational structure.

18 17 [The reductions of the department of general services shall **VETOED**
 18 18 not be achieved by discontinuing the computer mainframe
 18 19 upgrades which began in the fiscal year 1992.]

Prohibits the DGS from discontinuing the computer mainframe upgrade which began in FY 1992.

VETOED: The Governor vetoed this part of the section stating that DGS should retain the flexibility to manage resources during this period of financial constraint.

18 20 Sec. 28. Section 19A.32, Code 1991, is amended to read as
 18 21 follows:
 18 22 19A.32 WORKERS' COMPENSATION CLAIMS.
 18 23 The director ~~of the department of personnel~~ shall employ
 18 24 appropriate staff to handle and adjust claims of state
 18 25 employees for workers' compensation benefits pursuant to

CODE: Establishes a fund to pay workers' compensation claims. The IDOP is required to establish a formula and bill State agencies for workers' compensation costs.

Requires that the monies deposited into the fund not

18 26 chapters 85, 85A, 85B, and 86, or with the approval of the
 18 27 executive council contract for the services or purchase
 18 28 workers' compensation insurance coverage for state employees
 18 29 or selected groups of state employees. ~~The director shall~~
 18 30 ~~quarterly determine an appropriate amount, based upon the cost~~
 18 31 ~~of workers' compensation insurance, that shall be collected~~
 18 32 ~~from the agencies, departments, or divisions which have not~~
 18 33 ~~received an appropriation for the payment of workers'~~
 18 34 ~~compensation insurance and which operate from moneys other~~
 18 35 ~~than from the general fund, and the amounts collected shall be~~
 19 1 ~~deposited in the general fund.~~ A state employee workers'
 19 2 compensation fund is established to pay state employee
 19 3 workers' compensation claims. The department shall establish
 19 4 a rating formula and assess premiums to all agencies,
 19 5 departments, and divisions of the state including those which
 19 6 have not received an appropriation for the payment of workers'
 19 7 compensation insurance and which operate from moneys other
 19 8 than from the general fund of the state. The department shall
 19 9 collect the premiums and deposit them into the state employee
 19 10 workers' compensation fund. Notwithstanding section 8.33,
 19 11 moneys deposited in the state employee workers' compensation
 19 12 fund shall not revert to the general fund of the state at the
 19 13 end of any fiscal year but shall remain in the state employee
 19 14 workers' compensation fund and be continuously available to
 19 15 pay state employee workers' compensation claims. The director
 19 16 of revenue and finance is authorized and directed to draw
 19 17 warrants on this fund for the payment of state employee
 19 18 workers' compensation claims.

revert to the General Fund, but be continuously available to pay employees' claims.

DETAIL: The funding formula is based on a three-year average of workers' compensation costs for each agency. This allows agencies to be billed according to their historical cost patterns.

19 19 Sec. 29. STATE EMPLOYEE WORKERS' COMPENSATION CLAIMS --
19 20 REPEAL. Sections 85.57 and 85.58, Code 1991, are repealed.

CODE: Repeals the standing unlimited appropriation for workers' compensation expenses and the authority to make those payments.

DETAIL: This had been budgeted at \$6.3 million for FY 1993.

19 21 Sec. 30. STATE WORKERS' COMPENSATION CLAIMS. There is

General Fund appropriation for the payment of

19 22 appropriated from the general fund of the state to the
 19 23 department of personnel for the fiscal year beginning July 1,
 19 24 1992, and ending June 30, 1993, the following amount, or so
 19 25 much thereof as is necessary, to be used for the purpose
 19 26 designated:
 19 27 For distribution, subject to approval of the department of
 19 28 management, to various state departments to fund the premiums
 19 29 for paying workers' compensation claims which are assessed to
 19 30 and collected from the state department by the department of
 19 31 personnel based upon a rating formula established by the
 19 32 department of personnel:
 19 33 \$ 6,325,000

19 34 The premiums collected by the department of personnel shall
 19 35 be segregated into a separate workers' compensation fund in
 20 1 the state treasury to be used for payment of state employees'
 20 2 workers' compensation claims. Notwithstanding section 8.33,
 20 3 unencumbered or unobligated moneys remaining in this workers'
 20 4 compensation fund shall not revert.

20 5 **Sec. 31.** Section 421.17, Code Supplement 1991, is amended
 20 6 by adding the following new subsection:
 20 7 NEW SUBSECTION. 34. a. To establish, administer and make
 20 8 available a centralized debt collection capability and
 20 9 procedure for the use by any state agency as defined in
 20 10 subsection 29 to collect delinquent accounts, charges, fees,
 20 11 loans, or other indebtedness due the state. The department's
 20 12 collection facilities shall only be available for use by other
 20 13 state agencies for their discretionary use when resources are
 20 14 available to the director and subject to the director's
 20 15 determination that use of the procedure is feasible. The
 20 16 director shall prescribe the appropriate form and manner in
 20 17 which this information is to be submitted to the office of the
 20 18 department. The obligations or indebtedness must be
 20 19 delinquent and not subject to litigation, claim, appeal, or

workers' compensation claims.

DETAIL: Due to the elimination of the standing unlimited appropriation for workers' compensation and the implementation of the workers' compensation cost formula, a specific amount has been appropriated to the IDOP for the payment of other agencies' workers' compensation claims. In succeeding years, the costs of workers' compensation will be built into agencies' budget requests and appropriated like other costs utilizing the three-year moving average formula. Agencies are responsible for claims in excess of their three-year moving average from operations or other sources.

CODE: Carries forward excess funds from the IDOP Workers' Compensation Account at the end of the fiscal year for the payment of workers' compensation claims.

CODE: Formalizes a centralized collections function in the DRF. The centralized collections function has the following features:

1. Makes the collection facilities available for use by other agencies at the agencies' discretion.
2. Requires obligations be delinquent and not in dispute before they are turned over to the DRF.
3. Requires the DRF to establish a computer database to compile information provided by the departments.
4. Requires the Director of the DRF to establish a formal debt collection policy for use by State agencies who do not currently have a policy.

20 20 review pursuant to the appropriate remedies of each state
 20 21 agency.
 20 22 b. The director shall establish, as provided in this
 20 23 section, a centralized computer data bank to compile the
 20 24 information provided and shall establish in the centralized
 20 25 data bank all information provided from all sources within the
 20 26 state concerning addresses, financial records, and other
 20 27 information useful in assisting the department in collection
 20 28 services.
 20 29 c. The director shall establish a formal debt collection
 20 30 policy for use by state agencies which have not established
 20 31 their own policy. Other state agencies may use the collection
 20 32 facilities of the department pursuant to formal agreement with
 20 33 the department. The agreement shall provide that the
 20 34 information provided to the department shall be sufficient to
 20 35 establish the obligation in a court of law and to render it as
 21 1 a legal judgment on behalf of the state. After transferring
 21 2 the file to the department for collection, an individual state
 21 3 agency shall terminate all collection procedures and be
 21 4 available to provide assistance to the department. Upon
 21 5 receipt of the file, the department shall assume all liability
 21 6 for its actions without recourse to the agency, and shall
 21 7 comply with all applicable state and federal laws governing
 21 8 collection of the debt. The department has the powers granted
 21 9 in section 421.17 regarding setoff from income tax refunds or
 21 10 other accounts payable by the state for **any** of the obligations
 21 11 transferred by state agencies.
 21 12 d. The department's existing right to credit against tax
 21 13 due shall not be impaired by any right granted to, or duty
 21 14 imposed upon, the department or other state agency by this
 21 15 section.
 21 16 e. All state agencies shall be given access, at the
 21 17 discretion of the director, to the ~~centralized~~ computer data
 21 18 bank and may deny any license or renewal authorized by the
 21 19 laws of this state to any person who has defaulted on an
 21 20 obligation owing to the state. The confidentiality provisions
 21 21 of sections 422.20 and 422.72 do not apply to tax information

5. Terminates agency collection actions once the obligation is turned over to the DRF.
6. Allows agencies to deny licenses to an individual if an outstanding obligation is owed to the State.
7. Allows the DRF to accept payments by credit card for debts, interest, and fees.
8. Requires the Director of the DRF to adopt administrative rules to implement this section.
9. Requires the Director of the DRF to report quarterly to the Legislative Fiscal Committee, the LFB, and the chairpersons and ranking members of the Administration Appropriations Subcommittee on the following items:
 - a. The number of departmental collection programs initiated.
 - b. The amount of debt collected.
 - c. An estimate of future costs and benefits associated with the collections program.

21 22 contained in the centralized computer data bank. State
 21 23 agencies shall endeavor to obtain the applicant's social
 21 24 security or federal tax identification number, or state
 21 25 driver's license number from all **applicants**.

21 26 f. At the director's discretion, the department may accept
 21 27 payment of debts, interest, and fees, or any portion by credit
 21 28 card. The director may adjust the payable amount to reflect
 21 29 the costs of processing the payment as determined by the
 21 30 treasurer of state and the payment by credit card shall
 21 31 include, in addition to all other charges, any discount charge
 21 32 by the credit card issuer.

21 33 g. The director shall adopt administrative rules to
 21 34 implement this section, including, but not limited to, rules
 21 35 necessary to prevent conflict with federal laws and
 22 1 regulations or the loss of federal funds, to establish
 22 2 procedures necessary to guarantee due process of law, and to
 22 3 provide for reimbursement of the department by other state
 22 4 agencies for the department's costs related to debt
 22 5 collection.

22 6 h. The director shall report quarterly to the legislative
 22 7 fiscal committee, the legislative fiscal bureau, and the
 22 8 chairpersons and ranking members of the joint administration
 22 9 appropriations subcommittee concerning the implementation of
 22 10 the centralized debt collection program, the number of
 22 11 departmental collection programs initiated, the amount of
 22 12 debts collected; **and** an estimate of future costs and benefits
 22 13 which may be **associated** with the collection program. It is
 22 14 the intent of the general assembly that the centralized debt
 22 15 collection program will result in the collection of at least
 22 16 two dollars of indebtedness for every dollar expended in
 22 17 administering the collection program during a fiscal year. It
 22 18 is **also** the intent of the general assembly that the
 22 19 centralized debt collection program be **administered** without
 22 20 the anticipation of future additional commitments of computer
 22 21 equipment and personnel.

22 22 Sec. 32. Section 556.13, Code 1991, is amended to read as

CODE: Permits holders of unclaimed property to turn

22 23 follows:
 22 24 556.13 PAYMENT OR DELIVERY OF ABANDONED PROPERTY
 22 25 Every person who has filed a report under section 556.11
 22 26 shall, within twenty days after the time specified in section
 22 27 556.12 for claiming the property from the holder, or at the
 22 28 time of filing the report in the discretion of the holder, or
 22 29 in the case of sums payable on traveler's checks or money
 22 30 orders presumed abandoned under section 556.2, or property for
 22 31 which the holder is not required to report the name of the
 22 32 owner, ~~shall, at the time of filing the report,~~ pay or deliver
 22 33 to the treasurer of state all abandoned property specified in
 22 34 this report, except that, if the owner establishes the owner's
 22 35 right to receive the abandoned property to the satisfaction of
 23 1 the holder within the time specified in section 556.12, or if
 23 2 it appears that for some other reason the presumption of
 23 3 abandonment is erroneous, the holder need not pay or deliver
 23 4 the property, which will no longer be presumed abandoned, to
 23 5 the treasurer of state, but in lieu thereof shall file a
 23 6 verified written explanation of the proof of claim or of the
 23 7 error in the presumption of abandonment.

23 8 Sec. 33. This Act, being deemed of immediate importance,
 23 9 takes effect upon enactment. However, all sections except
 23 10 this section and section 25, take effect on July 1, 1992.

23 11 HF 2459
 23 12 tj/pk/25

over unclaimed property to the Treasurer at the time they file their unclaimed property report.

DETAIL: The Office of the Treasurer has indicated that this will make the process more efficient by allowing the holder to voluntarily turn over unclaimed property at the time of reporting. Currently, the holders are required to wait until after the Great Iowa Treasure Hunt to turn in unclaimed property. Some holders, particularly those located outside of Iowa, turn in property with the report. The Office then returns the property to the holder so that it can be returned to the Treasurer later if it is not claimed.

Specifies that Section 25, which deals the appropriation for public improvement assessments, takes effect upon enactment.

EXECUTIVE SUMMARY
 AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS BILL

SENATE FILE 2347

**SECOND EXTRAORDINARY
 SESSION ADJUSTMENTS**

• *All General Fund appropriations in this bill were reduced by 5.0% by SF 2393, the Second Extraordinary Session Bill, except the restoration of funding for dredging Black Hawk Lake and the Green Thumb Program, resulting in a total reduction of \$1.7 million from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*

**NEW PROGRAMS, SERVICES, OR
 ACTIVITIES**

• Transfers **\$50,000** from the Agricultural Experiment Station at Iowa State University from funds appropriated for livestock research to the Department of Agriculture and Land Stewardship (DALs) for a Predator Damage Management Program. (Page 10, Line 22) *This item was vetoed by the Governor.*

• Appropriates **\$99,000** to the Soil Conservation Division for stream stabilization and degradation projects. (Page 11, Line 30) *This item was vetoed by the Governor.*

• Appropriates **\$398,000** to continue dredging Black Hawk Lake in Sac County. (Page 12, Line 7) *This item was vetoed by the Governor.*

**MAJOR INCREASES, DECREASES,
 OR TRANSFERS OF EXISTING
 PROGRAMS**

*Transfer the Agricultural Marketing Division to the Agricultural Marketing Bureau under the Administrative Division of the DALs. (Various)

• Requires **\$330,000** of the Soil Conservation Division appropriation be used to reimburse conservation district commissioner expenses. (Page 3, Line 28)

• Appropriates **\$796,000** to the Pseudorabies Eradication Program. This is an increase of **\$412,000 (107.4%)** compared to the estimated net FY 1992 appropriation. (Page 6, Line 19)

• Appropriates **\$129,000** to the Green Thumb Program. This is a decrease of **\$84,000 (39.2%)** compared to the estimated net FY 1992 appropriation. (Page 8, Line 19) *This item was vetoed by the Governor.*

*Appropriates **\$9.9 million** to the Resource Enhancement and Protection (REAP) Fund. This is a decrease of **\$323,000 (3.1%)** from the estimated net FY 1992 appropriation. For comparison purposes, the **\$2.5 million FY 1992** Lottery appropriation to REAP is considered General Fund. (page 11, Line 9)

**EXECUTIVE SUMMARY
 AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS BILL**

SENATE FILE 2347

**SIGNIFICANT CHANGES TO THE
 CODE OF IOWA**

- Adds language relating to credit sale contracts and other related *grain* issues. Allows the **DALS** to adopt a prioritization method for inspections. (Various)
- Amends **SF 2367** (FY 1992 Adjustments and Salaries Bill) by **striking the section** allowing the Governor to allocate Use Tax receipts for the purposes of foster care and medical assistance in the event of appropriation shortfalls in those areas. (Page 14, Line 29)
- *Requires the Department of Natural Resources (DNR) to submit an annual budget request for payment of consolidated property taxes on all land purchased by the Department after June 30, 1992 on which property tax payment is not currently required by the Code of Iowa. (Page 15, Line 9)
This item was vetoed by the Governor.
- Increases license fees for commercial weighing and measuring devices. The additional funds raised from this increase are approximately \$210,000. (Page 20, Line 23 through Page 23, Line 29)
- Provides the DNR with the authority to enforce and regulate stormwater discharge. (Page 25, Line 3)
- *Extends the appropriation of \$50,000 from the Solid Waste Account of the Groundwater Protection Fund for microbial destruction of wet solid waste for 1 fiscal year. Delays the start of an Economic Development appropriation from the Solid Waste Account from FY 1993 to FY 1994. (Page 25, Line 8)
- Directs the Environmental Protection Commission to adopt rules for establishing criteria for the classification and prioritization of pesticide and fertilizer contaminated agricultural chemical dealer sites. (Page 25, Line 34)
- Adopts language relating to soil conservation cost-share to conform With HF 2343. (Page 28, Line 26 through Page 31, Line 7)
- Increases license and examination fees for grain dealers and warehouse dealers. The additional funds raised from this increase are approximately \$250,000. (Page 34, Line 10 and Page 49, Line 10)
- Strikes the section in the Code of Iowa prohibiting grain purchases by a custom livestock feeder using a credit-sale contract: (Page 55, Line 28)

**EXECUTIVE SUMMARY
AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS BILL**

SENATE FILE 2347

STUDIES AND INTENT LANGUAGE

• Requires the Parks Division of the DNR to submit a zero-based budget request by January 15, 1993. (Page 14, Line 19)

-Requires an allocation of \$35,000 for the State 4-H Foundation from the DALS Administrative Division appropriation. (Page I, Line 13)

-Requires an allocation of \$140,000 and 5.00 FTE positions to the Statistics Bureau to provide county-by-county agricultural data for use in the productivity formula. (Page 1, Line 17)

• Requires that \$47,000 of the appropriation for the Dairy Trade Practices Bureau be used to support the Bureau in FY 1993, with the remainder available to the Bureau in FY 1994. (Page 1, Line 26)

*Requires that of the appropriation for the Agricultural Marketing Bureau of the DALS \$65,000 and 1.00 FTE be used to support the Office of Renewable Fuel, \$200,000 and 5.00 FTE positions be used for international marketing efforts, and \$325,000 and 8.00 FTE positions be used to support horticultural functions. (Page 2, Line 3 and Page 2, Line 6)

• Requires that \$50,000 of the appropriation to the Laboratory Division of the DALS be used for detection, surveillance, and eradication of the gypsy moth. (Page 3, Line 5)

• Requires the DALS and the DNR to report to the Legislative Fiscal Bureau (LFB), on a quarterly basis, all additions and deletions to the Departments' Tables of Organization. (Page 12, Line 27)

• Requires the Department of Revenue and Finance, in cooperation with the DALS and the DNR, to track receipts to the General Fund which have previously been deposited into specific trust funds, and to report quarterly to the LFB on the status of these receipts. (Page 13, Line 5)

GOVERNOR'S VETOES

• The Governor vetoed \$192,000 for a Lamb and Wool Education Program, stating that the program was designed to be a pilot project and other funds should be sought to provide ongoing support. (Page 6, Line 9)

• The Governor vetoed \$129,000 for the Green Thumb Program. The Governor stated that it is not possible to continue the Program given the existing budget limitations. (Page 8, Line 19)

**EXECUTIVE SUMMARY
AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS BILL**

SENATE FILE 2347

- The Governor vetoed an appropriation of \$144,000 ~~from General Fund-Marine Fuel Tax receipts to~~ the Fish and Game Protection Fund. The Governor stated that the appropriation is not needed because of the strong financial condition of the Fish and Game Fund. (Page 9, Line 23)
- The Governor vetoed the transfer of \$50,000 from the Agricultural Experiment Station at Iowa State University to the DALS for a Predator Damage Management ~~Program~~. (Page 10, Line 22)
- The Governor vetoed the allocation of \$500,000 of the ~~Resource~~ Enhancement and ~~Protection~~ (REAP) Fund appropriation to the Waste Volume Reduction ~~and~~ Recycling (WVRR) Fund. The Governor stated that alternative sources of funding exist for the ~~WVRR~~ Fund. (Page 11, Line 21)
- The Governor vetoed the allocation of \$400,000 of the ~~Resource~~ Enhancement and Protection (REAP) Fund appropriation to the Soil Conservation ~~Cost-Share~~ Program. The Governor stated that alternative ~~sources of~~ funding exist for the Program. (Page 11, Line 25)
- The Governor vetoed \$99,000 for a new program for stream stabilization and ~~degradation~~ projects, stating that it is a new program with implications for ongoing funding. (Page 11, Line 30)
- The Governor vetoed \$398,000 for continued dredging of ~~Black Hawk Lake~~. The Governor stated that the appropriation is inconsistent with a section of the bill requiring the Natural Resource Commission to approve or reject all proposals for lake dredging. The Governor also stated that ~~resources~~ are available from the Marine Fuel ~~Tax~~ appropriation for the project. (Page 12, Line 7)
- The Governor vetoed language requiring the DNR to submit a budget request for the payment of property taxes on all land purchased by the Department after June 30, 1992 for which current law does not require the payment of property taxes. The Governor stated that he could not approve ~~this~~ language because the majority of land purchased by the DNR currently requires property tax payment. (Page 15, Line 9)
- The Governor vetoed language allowing the Grain Warehouse Bureau to ~~carry~~ forward for 1 year any reimbursement received for administration of a receivership. He stated that ~~this type~~ of receipt is a repayment as defined in Section 8.2, Code of Iowa, and ~~must be~~ expended in the year it is received or be reverted to the General Fund. (Page 43, Line 23)

Senate File 2347

Senate File 2347 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	26	1.1(b)	Nwthstnd	Sec. 8.39 & 8.33	Dairy Trade Practices Non-Reversion
6	3	1.5(d)	Nwthstnd	Sec. 8.33	Soil Conservation Cost Share Non-Reversion
9	31	8.4	Nwthstnd	Sec. 8.33	2-Year Marine Capital Approp.
11	9	12.1	Nwthstnd	Sec. 455A.18(3)	REAP Standing Notwithstanding REAP Appropriation Made
13	35	18	Nwthstnd	Sec. 17A.2(7)(g)	Nursery Stock Prices
14	29	22	Repeals	Sec. 201, SF 2367 1992 Iowa Acts	Use Tax for Med. Assist. or Foster Care
14	33	23	Amends	Sec. 93.11(1)(f) Code Supplement 1991	Energy Research Standing Appropriation Repealed
15	9	24	Adds	Sec. 111.17A	DNR Payment of Property Taxes
16	4	25	Adds	Sec. 159.6A	Recognition of Private DALs Contributors
16	11	26	Amends	Sec. 159.20 Code Supplement 1991	Deletes Reference to Ag. Marketing Division
16	18	27	Amends	Sec. 159.20(5 & 9) Code Supplement 1991	Deletes Reference to Ag. Marketing Division
16	29	28	Repeals	Sec. 159.20 Code Supplement 1991	Deletes Reference to Ag. Marketing Division
16	31	29	Amends	Sec. 159.22 Code Supplement 1991	Deletes Reference to Ag. Marketing Division
17	9	30	Amends	Sec. 159.23	Deletes Reference to Ag. Marketing Division
17	30	31	Amends	Sec. 159.24	Deletes Reference to Ag. Marketing Division
18	3	32	Amends	Sec. 159.37(1)	Deletes Reference to

Page #	Line #	Bill Section	Action	Code Section Changed	Description
18	11	33	Amends	Sec. 159A.3(1) Code Supplement 1991	Ag. Marketing Division Deletes Reference to Ag. Marketing Division
18	21	34	Adds	Sec. 199.3(4)	Vegetable Seed Germination Date
18	26	35	Amends	Sec. 199.11	Exempts Lawn Seed from DALIS Inspection
20	23	36	Amends	Sec. 214.3(1)	Increases Inspection Fee
20	32	37	Amends	Sec. 214.3(3)(a-e)	Increases License Fee
22	1	38	Amends	Sec. 215.2(1 & 2)	Increases Test Fee
22	6	39	Amends	Sec. 215.17	Increases Inspection Fee
23	21	40	Amends	Sec. 215A.9	Increases Inspection Fee
23	30	41	Amends	Sec. 423.24(1)(b), HF 2456, 1992 Iowa Acts	Ethanol Production Incentive Account Correction
24	11	42	Adds	Sec. 455A.5(6) Code Supplement 199	Natural Resource Commission Approval of Contracts
24	19	43	Amends	Sec. 455A.6(6)(d) Code Supplement 199	Technical Correction - Division Reference
24	31	44	Repeals	Sec. 455A.7(1)(f) Code Supplement 199	Repeals Coordination & Information Division
24	33	45	Amends	Sec. 455A.7(1)(j) Code Supplement 199	Coord. & Info. Division Duties to Admin. Division
25	3	46	Adds	Sec. 455B.103A Code Supplement 1991	Stormwater Discharge Permits
25	8	47	Amends	Sec. 455B.310(2)(b)(5) Code Supplement 1991	Microbial Destruction of Waste
25	34	48	Adds	Sec. 4558.601	Contaminated Ag. Chemical Dealer Site Prioritization
28	26	49	Repeals	Sec. 467A.7(17 & 19)	Soil Conservation
28	28	50	Amends	Sec. 467A.43, as enacted by HF 2343 1992 Iowa Acts	Soil Conservation
29	20	51	Amends	Sec. 467A.73(1)(b), as enacted by HF 2343 1992 Iowa Acts	Soil Conservation

Page #	Line #	Bill Section	Action	Code Section Changed	Description
29	31	52	Amends	Sec. 467A.73(2)(a), as enacted by HF 2343 1992 Iowa Acts	Soil Conservation
30	16	53	Amends	Sec. 467A.74(1)(a), as enacted by HF 2343 1992 Iowa Acts	Soil Conservation
30	28	54	Amends	Sec. 467A.74(2), as enacted by HF 2343 1992 Iowa Acts	Soil Conservation
31	8	55	Adds	Sec. 542.1	Good Cause Definition
31	27	56	Amends	Sec. 542.3(4)(b)	Grain Dealer Provisions
32	25	57	Amends	Sec. 542.3(5)(b)	Good Cause Definition
33	22	58	Amends	Sec. 542.5	Grain Dealer Licenses
34	10	59	Amends	Sec. 542.6(1)	Grain Dealer Fees
35	31	60	Amends	Sec. 542.9	Grain Dealer Inspections
36	20	61	Amends	Sec. 542.11(4)	Violation Prosecutions
36	33	62	Adds	Sec. 542.12A	Statutory Lien on Grain Dealer Assets
39	19	63	Amends	Sec. 542.15(7)	Grain Dealers Purchases of Grain on Credit
40	33	64	Adds	Sec. 542.15	Suspension of Right to Purchase Grain by Credit
41	27	65	Adds	Sec. 542.22	Prioritization of Inspections
42	12	66	Adds	Sec. 543.1(7A)	Good Cause Definition
42	34	67	Amends	Sec. 543.2	Prioritization of Inspections
43	23	68	Amends	Sec. 543.4(6)	Non-Reversion Clause for Grain Receivership Funds
44	2	69	Amends	Sec. 543.6(4)(b)	Good Cause Definition
44	32	70	Amends	Sec. 543.6(5)(b)	Good Cause Definition
45	27	71	Adds	Sec. 543.12A	Statutory Lien on Warehouse Operator Assets
48	14	72	Adds	Sec. 543.17(6A)	Warehouse Operators Purchase of Grain on Credit
48	26	73	Amends	Sec. 543.17(7)	Division of Current Code
49	10	74	Amends	Sec. 543.33(1)(a-g)	Increases Warehouse License Fees

Page #	Line #	Bill Section	Action	Code Section Changed	Description
50	1	75	Amends	Sec. 543.36(4)	Violation Prosecutions
50	14	76	Amends	Sec. 543.37	Warehouse Operator's License
50	29	77	Amends	Sec. 543.40	Prioritization of Inspections
51	14	78	Adds	Sec. 543A.5A	Statutory Liens
51	18	79	Adds	Sec. 554.9407(3)	Statutory Liens
51	34	80	Amends	Sec. 715A.2(2)(a)	Forged Credit-Sale Contracts
52	24	83	Repeals	Sec. 212 & 213, Chap. 268 1991 Iowa Acts	Repeals Early Transfer of Boat and Snowmobile Funds
52	28	84	Repeals	Sec. 542.21	Credit-Sale Prohibition

1 1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 1 2 Section 1. There is appropriated from the general fund of
 1 3 the state to the department of agriculture and land
 1 4 stewardship for the fiscal year beginning July 1, 1992, and
 1 5 ending June 30, 1993, the following amounts, or so much
 1 6 thereof as is necessary, to be used for the purposes
 1 7 designated:

1 8 1. ADMINISTRATIVE DIVISION

1 9 a. For salaries, support, maintenance, the support of the
 1 10 state 4-H foundation, support of the statistics bureau, and
 1 11 miscellaneous purposes:
 1 12 \$ 1,000,544

General Fund appropriation to the Administrative Division of the Department of Agriculture and Land Stewardship (DALs).

DETAIL: This is a reduction of \$40,804 (3.92%) compared to the estimated net FY 1992 appropriation due to:

1. Flattening the organizational structure (\$30,000).
2. Reductions associated with the Reduction In Force (RIF) Plan (\$44,385).
3. A net reduction for reimbursement of audit expense to the State Auditor (\$7,500).
4. An increase in the base based on the Department's request and additional cross-the-board cuts to FY 1992 (\$41,081).

1 13 Of the funds appropriated in this paragraph a, \$35,000
 1 14 shall be allocated to the state 4-H foundation to foster the
 1 15 development of Iowa's youth and to encourage them to study the
 1 16 subject of agriculture.

Requires an allocation of \$35,000 for the State 4-H Foundation to foster the development of Iowa's youth and to encourage them to study the subject of agriculture.

1 17 Of the funds appropriated in this paragraph a, \$140,000
 1 18 and 5.00 FTEs shall be allocated to the statistics bureau to
 1 19 provide county-by-county information on land in farms,

Requires an allocation of \$140,000 and 5.00 FTE positions to the Statistics Bureau to provide county-by-county agricultural data which will be made

1 20 production by crop, acres by crop, and county prices by crop.
 1 21 This information shall be made available to the department of
 1 22 revenue and finance for use in the productivity formula for
 1 23 valuing and equalizing agricultural land.

available for use in the productivity formula for valuing and equalizing agricultural land.

1 24 b. For the operations of the dairy trade practices bureau:
 1 25 \$ 69,612

General Fund appropriation to the Administrative Division for operation of the Dairy Trade Practices Bureau.

DETAIL: Prior to FY 1992, this appropriation was a transfer to the Administrative Division from the Dairy Trade Practices Trust Fund. This is a decrease of \$27,419 (28.26%) compared to the estimated net FY 1992 appropriation.

1 26 Of the funds appropriated in this paragraph b, not more
 1 27 than \$46,945 shall be used to support the operations of the
 1 28 dairy trade practices bureau for the fiscal year beginning
 1 29 July 1, 1992, and ending June 30, 1993. Notwithstanding
 1 30 section 8.39, moneys appropriated under this paragraph shall
 1 31 not be transferred by the department to support a purpose
 1 32 other than the operations of the bureau. Notwithstanding
 1 33 section 8.33, unobligated or unencumbered moneys remaining on
 1 34 June 30, 1993, shall not revert, but shall be available for
 1 35 expenditure for the bureau for the next fiscal year and any of
 2 1 these moneys remaining on June 30, 1994, shall revert to the
 2 2 general fund of the state.

CODE: Requires that \$46,945 of this appropriation will be used to support the operations of the Dairy Trade Practices Bureau for FY 1993, and the remainder cannot be used by the DALs for any other purpose. Funds remaining after FY 1993 will be available to Dairy Trade Practices Bureau during FY 1994 and will not revert to the General Fund until June 30, 1994.

2 3 c. For the operations of the agricultural marketing
 2 4 bureau:
 2 5 \$ 776,805

General Fund appropriation to the Agricultural Marketing Bureau.

DETAIL: This Act eliminates the Agricultural Marketing Division and reestablishes an Agricultural Marketing Bureau within the Administration Division. Funding for the Bureau represents a decrease of \$96,803 (11.08%) compared to the estimated net FY 1992 appropriation due to:

1. A reduction to adjust for increased receipts (\$41,135).
2. A reduction from **international** marketing functions (\$35,571).
3. A reduction for making the Division a Bureau (\$25,000).
4. An increase in the base based on the Department's request and additional across-the-board cuts to FY 1992 (\$4,903).

INTENT: Of the amount appropriated, \$65,000 and 1.00 FTE position is to be used to support the Office of Renewable Fuel, and \$200,000 and 5.00 FTE positions for international marketing efforts.

2 6 Of the funds appropriated in this paragraph c, \$325,000
 2 7 and 8.00 FTEs shall be used to support horticulture.

Requires an allocation of \$325,000 and 8.00 FTE positions to support horticulture functions.

2 8 d. For the purpose of performing commercial feed audits:
 2 9 \$ 56,157

General Fund appropriation to the Administrative Division for commercial feed audits.

DETAIL: Prior to FY 1992, this appropriation was a transfer to the Administrative Division from the Commercial Feed Trust Fund. This is an increase of \$2,104 (3.89%) compared to the estimated net FY 1992 appropriation.

2 10 e. For the purpose of performing fertilizer audits:
 2 11 \$ 56,157

General Fund appropriation to the Administrative Division for fertilizer audits.

DETAIL: Prior to FY 1992, this appropriation was a transfer to the Administrative Division from the Fertilizer Trust Fund. This is an increase of \$2,104 (3.89%) compared to the estimated net FY 1992 appropriation.

2 12 f. Funds appropriated by this subsection are for the
 2 13 salaries and support of not more than the following full-time
 2 14 equivalent positions:
 2 15 FTEs 56.20

Specifies the level of FTE positions for the Administrative Division.

DETAIL: This includes the FTE positions for the Agricultural Marketing Bureau which is now under the Administrative Division. With this inclusion, the FTE level is the same as the estimated net FY 1992 level.

2 16 2. FARMERS' MARKET COUPON PROGRAM
 2 17 For salaries, support, maintenance, and miscellaneous
 2 18 purposes, to be used by the department to continue and expand
 2 19 the farmers' market coupon program by providing federal
 2 20 special supplemental food program recipients with coupons
 2 21 redeemable at farmers' markets, and for not more than the
 2 22 following full-time equivalent positions:
 2 23 \$ 190,822
 2 24 FTEs 1.00

General Fund appropriation to the Farmer's Market Coupon Program. Maintains current level of service.

2 25 3. REGULATORY DIVISION

2 26 a. For salaries, support, maintenance, miscellaneous
 2 27 purposes, and for not more than the following full-time
 2 28 equivalent positions:
 2 29 \$ 3,587,025
 2 30 FTEs 135.00

General Fund appropriation to the Regulatory Division of the DALs.

DETAIL: This is a reduction of \$133,448 (3.59%) and 6.00 FTE positions compared to the estimated net FY 1992 appropriation due to:

1. A reduction in the reimbursement for Auditor's expenses (\$1,500).
2. A reduction of staff in the Grain Warehouse Bureau (\$100,000).
3. A reduction of staff in the Weights and Measures Bureau (\$60,000).
4. An increase in the base based on the Department's request and additional across-the-board cuts to FY 1992 (\$28,052).

			transfer to the Laboratory Division from the Commercial Feed Trust Fund. This is an increase of \$42,150 (6.35%) compared to the estimated net FY 1992 appropriation.
3 14	c. For the operations of the pesticide programs:		
3 15	.....	\$ 1,189,105	General Fund appropriation to the Laboratory Division for the operation of the Pesticide Programs.
			DETAIL: Prior to FY 1992, this appropriation was a transfer to the Laboratory Division from the Pesticide Trust Fund. This is an increase of \$95,698 (8.75%) compared to the estimated net FY 1992 appropriation.
3 16	d. For the operations of the fertilizer programs:		
3 17	.....	\$ 622,674	General Fund appropriation to the Laboratory Division for the operation of the Fertilizer Programs.
			DETAIL: Prior to FY 1992, this appropriation was a transfer to the Laboratory Division from the Fertilizer Trust Fund. This is a decrease of \$130,487 (17.33%) compared to the estimated net FY 1992 appropriation.
3 18	e. Funds appropriated by this subsection are for the		
3 19	salaries and support of not more than the following full-time		
3 20	equivalent positions:		
3 21	.....	FTEs 79.25	Specifies the level of FTE positions for the Laboratory Division. This is a decrease of 0.75 FTE positions compared to the estimated net FY 1992 appropriation.
3 22	5. SOIL CONSERVATION DIVISION		
3 23	a. For salaries, support, maintenance, assistance to soil		
3 24	conservation districts, miscellaneous purposes, and for not		
3 25	more than the following full-time equivalent positions:		
3 26	.....	\$ 4,973,030	
3 27	.....	FTEs 173.52.	General Fund appropriation to the Soil Conservation Division.
			DETAIL: This is an increase of \$51,260 (1.04%) and 2.00 FTE positions compared to the estimated net FY 1992 appropriation due to:

3 28 Of the funds appropriated in this paragraph a, **\$330,000**
 3 29 shall be used to reimburse commissioners of soil and water
 3 30 conservation districts for administrative expenses. Moneys
 3 31 used for the payment of meeting dues by counties shall be
 3 32 matched on a **dollar-for-dollar** basis by the soil conservation
 3 33 division.

1. Reductions for the RIF Plan (\$138,000).
2. An increase in district commissioner expenses (\$150,000).
3. An increase in the base based on the Department's request and additional across-the-board cuts to FY 1992 (\$39,260).

Requires that \$330,000 be used to reimburse soil conservation district commissioner expenses. This is an addition of \$150,000 to the level at which the commissioners are currently funded.

3 34 b. To provide financial incentives for soil conservation
 3 35 practices under chapter **467A**:
 4 1 \$ 5,947,480

General Fund appropriation for the Soil Conservation Cost-Share Program.

DETAIL: This represents an increase of \$21,228 (0.36%) compared to the estimated net FY 1992 appropriation.

4 2 c. The following requirements apply to the moneys
 4 3 appropriated by paragraph b:

4 4 (1) Not more than 5 percent of the moneys appropriated in
 4 5 paragraph b may be allocated for cost sharing to abate
 4 6 complaints filed under section 467A.47.

Permits up to 5.0% of the cost-share funds to be used to abate complaints filed under Section 467A.47, Code of Iowa, which deals with inspection of land upon receipt of a complaint.

4 7 (2) Of the moneys appropriated in paragraph b, 5 percent
 4 8 shall be allocated for financial incentives to establish
 4 9 practices to protect watersheds **above** publicly owned lakes of
 4 10 the state from soil erosion and sediment. The financial
 4 11 incentives shall be awarded to watersheds which are of the
 4 12 highest importance based on soil loss as established by the
 4 13 natural resource commission pursuant to section 107.33A. The
 4 14 financial incentives shall not exceed seventy-five percent of

Requires that 5.0% of the cost-share funds be used for financial incentives not exceeding 75.0% of the approved costs of permanent soil conservation practices on watersheds above publicly owned lakes.

4 15 the estimated cost of establishing the practices as determined
 4 16 by the commissioners or seventy-five percent of the actual
 4 17 cost of establishing the practices, whichever is less.

4 18 (3) The commissioners of a soil and water conservation
 4 19 district may allocate financial incentives to encourage summer
 4 20 construction of permanent soil and **water** conservation
 4 21 practices. The practices shall be constructed on or after
 4 22 June 1 but not later than August 15. The commissioners may
 4 23 also provide for the payment of moneys on a prorated basis to
 4 24 compensate persons for the production loss on an area
 4 25 disturbed by construction, according to rules which shall be
 4 26 adopted by the division. The commissioners shall not allocate
 4 27 cost-share moneys to support summer construction during a
 4 28 fiscal year in which applications for cost-share moneys
 4 29 required to establish permanent soil and water conservation
 4 30 practices, other than established by summer construction,
 4 31 equal the total amount available to support the **nonsummer**
 4 32 construction practices. The financial incentives shall not
 4 33 exceed sixty percent of the estimated cost of establishing the
 4 34 practice as determined by the commissioners, or sixty percent
 4 35 of the actual cost of establishing the practice, whichever is
 5 1 less.

Permits the allocation of financial incentives, not exceeding 60.0% of the cost of permanent soil conservation practices, for summer construction incentives.

5 2 (4) The commissioners of a soil and water conservation
 5 3 district may allocate financial incentives under a special
 5 4 agreement with owners of land in the district who shall adopt
 5 5 a watershed conservation plan as provided by rules which shall
 5 6 be adopted by the division. The watershed conservation plan
 5 7 shall be in conjunction with the owners' respective farm unit
 5 8 soil conservation plans. The funding agreement must provide
 5 9 for the funding of a project which includes five or more
 5 10 contiguous farm units which have at least five hundred acres
 5 11 of agricultural land and which constitutes at least **seventy-**
 5 12 **five** percent of the agricultural land located within a
 5 13 watershed or subwatershed. The financial incentives shall not
 5 14 exceed sixty percent of the estimated cost of the project as

Allows commissioners to allocate financial incentives under special agreements with owners of land promising to adopt a watershed conservation plan. The watershed plan will be in conjunction with the owners' farm soil conservation plan. The funding agreement must provide for the funding of a project including 5 or more contiguous farm units having at least 500 acres of agricultural land with at least 75.0% of the land located within a watershed or subwatershed. The incentives will not exceed 60.0% of the estimated cost or the actual cost, whichever is less.

5 15 determined by the commissioners or sixty percent of the actual
5 16 cost, whichever is less.

5 17 (5) Except as otherwise provided in subparagraphs (1)
5 18 through (4), the moneys appropriated in paragraph b shall
5 19 not be used alone or in combination with other public funds to
5 20 provide a financial incentive payment greater than fifty
5 21 percent of the approved cost for a voluntary permanent soil
5 22 conservation practice. Priority for funding shall be given to
5 23 family-operated farms.

5 24 (6) Not more than 30 percent of a district's allocation of
5 25 moneys as financial incentives may be provided for the purpose
5 26 of establishing **management** practices *io* control soil erosion
5 27 on land that is row cropped, including but not limited to no-
5.28 till planting, ridge-till planting, contouring, and contour
5 29 strip-cropping. The division shall by rule establish limits
5 30 on the amount of incentives which shall be authorized for
5 31 payment to landowners upon establishment of the practice.

5 32 (7) The soil conservation committee may allocate moneys to
5 33 conduct research and demonstration projects to promote
5 34 conservation tillage and nonpoint sources pollution control
5.35 practices.

6 1 (8) The financial incentive payments may be used in
6 2 combination with department of natural resources funds,

6 3 d. The provisions of section **8.33** shall not apply to the
6 4 funds appropriated under paragraph b. Unencumbered or
6 5 unobligated funds remaining on June 30, 1996, from funds
6 6 appropriated under paragraph **b** for the fiscal year beginning
6 7 July 1, 1992, shall revert to the general fund on August 31,
6 8 1996.

Requires that these funds not be used alone or in combination with other public funds to provide a financial incentive payment greater than 50.0% of the approved cost of voluntary permanent soil conservation practices, except as otherwise provided in subparagraphs (1) through (4). Requires that priority for financial incentives be given to family-operated farms.

Permits a maximum of **30.0%** of a Soil Conservation District's allocation by the district commissioners for the establishment of management practices to control the soil erosion on land that is now row cropped.

Permits the Soil Conservation Committee to allocate funds to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

Permits the use of financial incentive payments in combination with Department of Natural Resource (DNR) funds.

CODE: Requires unencumbered or unobligated funds remaining on June **30**, 1996, from Soil Conservation Cost-Share funds appropriated for FY 1993, to revert to the General Fund on September **30**, 1996.

6 9 **Sec. 2.** There is appropriated from the general fund of the
 6 10 ~~state to~~ the department of agriculture and land stewardship
 6 11 for the fiscal year beginning July 1, 1992, and ending June
 6 12 30, 1993, the following amount, or so much thereof as is
 6 13 necessary, to be used for the purposes designated:
 6 14 To fund lamb and wool management education projects
 6 15 approved by the department at community colleges selected as
 6 16 project sites as provided in section 99E.32, subsection 3,
 6 17 paragraph m:
 6 18 \$ 192,426]

VETOED

General Fund appropriation to fund Lamb and Wool Management Education Projects in the DALs.

DETAIL: This is an increase of \$635 (0.33%) compared to the estimated net FY 1992 appropriation.

VETOED: The Governor vetoed this section. He stated that the Program was designed to be a temporary pilot project and that other funds should be sought to provide ongoing support for the Program.

6 19 **Sec. 3.** There is appropriated from the general fund of the
 6 20 state to the department of agriculture and land stewardship
 6 21 for the fiscal year beginning July 1, 1992, and ending June
 6 22 30, 1993, the following amount, or so much thereof as is
 6 23 necessary, to be used for the purpose designated:
 6 24 For support of the pseudorabies eradication program:
 6 25 \$ 795,560

General Fund appropriation for the Pseudorabies Eradication Program in the DALs.

DETAIL: This is an increase of \$411,978 (107.40%) compared to the estimated net FY 1992 appropriation.

6 26 **Sec. 4.** There is appropriated from the funds available
 6 27 under section 990.13 to the regulatory division of the
 6 28 department of agriculture and land stewardship for the fiscal
 6 29 year beginning July 1, 1992, and ending June 30, 1993, the
 6 30 following amount, or so much thereof as is necessary, to be
 6 31 used for the purpose designated:
 6 32 For salaries, support, maintenance, and miscellaneous
 6 33 purposes for the administration of section 99D.22:
 6 34 \$ 174,342

Unclaimed pari-mutuel winning receipts appropriation to the Horse and Dog Breeder's Program to maintain the current level of service.

6 35 INTERSTATE COMPACT ON AGRICULTURAL GRAIN MARKETING

7 1 **Sec. 5.** There is appropriated from the general fund of the
 7 2 state to the interstate agricultural grain marketing
 7 3 commission for the fiscal year beginning July 1, 1992, and
 7 4 ending June 30, 1993, the following amount, or so much thereof
 7 5 as is necessary, to be used for the purpose designated:
 7 6 For carrying out duties of the commission as provided in
 7 7 Article IV of the interstate compact on agricultural grain

General Fund appropriation to the Interstate Agricultural Grain Marketing Commission for carrying out the duties of the Interstate Compact of Agricultural Grain Marketing.

DETAIL: This is an increase of \$3,698 (6.39%) compared to the estimated net FY 1992 appropriation.

7 8 marketing as provided in chapter 183:
 7 9 \$ 61,606

7 10 DEPARTMENT OF NATURAL RESOURCES

7 11 Sec. 6. There is appropriated from the general fund of the
 7 12 state to the department of natural resources for the fiscal
 7 13 year beginning July 1, 1992, and ending June 30, 1993, the
 7 14 following amounts, or so much thereof as is necessary, to be
 7 15 used for the purposes designated:

DETAIL: For FY 1993, all General Fund appropriations to the DNR's 5 operating divisions funded by the General Fund total \$12,182,340. This represents an increase of \$149,663 (1.2%) compared to the estimated net FY 1992 appropriation. For comparison purposes, the Energy Research standing appropriation and the United States Geological Survey Cooperative Agreement were included in the FY 1992 total. Both appropriations were added to the Energy and Geology Division's appropriation for FY 1993 and are no longer separate appropriations.

For FY 1993, authorized FTE positions for the 7 DNR operating divisions funded by all sources are 32.10 (3.1%) positions below the estimated net FY 1992 FTE position limit.

7 16 1. ADMINISTRATIVE AND SUPPORT SERVICES
 7 17 For salaries, support, maintenance, miscellaneous purposes,
 7 18 and for not more than the following full-time equivalent
 7 19 positions:
 7 20 \$ 2,058,055
 7 21 FTEs 135.00

General Fund appropriation to the Administrative Divisions of DNR. This appropriation combines the 3 former DNR administrative divisions; the Coordination and Information Division, the Administrative Division, and the Director's Office.

DETAIL: This is a decrease of \$118,358 (5.4%) and 18.5 FTE positions compared to the estimated net FY 1992 appropriation for the 3 former division appropriations.

7 22 2. PARKS AND PRESERVES DIVISION
 7 23 For salaries, support, maintenance, miscellaneous purposes,
 7 24 and for not more than the following full-time equivalent
 7 25 positions:

General Fund appropriation to the Parks and Preserves Division of the DNR.

DETAIL: This is an increase of \$195,563 (3.9%) and a

7 26	\$	5,176,266
7 27	FTEs	210.57
7 28 3. FORESTS AND FORESTRY DIVISION		
7 29 For salaries, support, maintenance, miscellaneous purposes,		
7 30 and for not more than the following full-time equivalent		
7 31 positions:		
7 32	\$	1,390,537
7 33	FTEs	55.7 1
7 34 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION		
7 35 For salaries, support, maintenance, miscellaneous purposes,		
8 1 and for not more than the following full-time equivalent		
8 2 positions:		
8 3	\$	1,455,711
8 4	FTEs	55.02
8 5 5. ENVIRONMENTAL PROTECTION DIVISION		
8 6 For salaries, support, maintenance, miscellaneous purposes,		
8 7 and for not more than the following full-time equivalent		
8 8 positions:		
8 9	\$	2,101,771
8 10	FTEs	174.00
8 11 6. FISH AND WILDLIFE DIVISION		
8 12 For not more than the following full-time equivalent		
8 13 positions:		
8 14	FTEs	338.78

decrease of 6.00 FTE positions compared to the estimated net FY 1992 appropriation.

General Fund appropriation to the Forests and Forestry Division of the DNR.

DETAIL: This is a decrease of \$73,829 (5.0%) and 4.00 FTE positions compared to the estimated net FY 1992 appropriation.

General Fund appropriation to the Energy and Geology Division of the DNR.

DETAIL: This is a decrease of \$98,170 (6.3%) and 4.60 FTE positions compared to the estimated net FY 1992 appropriation. For comparison purposes, the Energy Research standing appropriation and the United States Geological Survey Cooperative Agreement appropriation were included in the FY 1992 total. Both appropriations for FY 1993 were combined into the Energy and Geology Division's appropriation.

General Fund appropriation to the Environmental Protection Division of the DNR.

DETAIL: This is an increase of \$244,457 (13.2%) compared to the estimated net FY 1992 appropriation. Full-Time Equivalent position usage is unchanged. The increase is due to the transfer of the Department's legal staff from the former Coordination and Information Division to the Environmental Protection Division.

Specifies the FTE position limit for the 'Fish and Wildlife Division of the DNR. This is an increase of 1.00 FTE position compared to the estimated FY 1992 level.

8 15 7. WASTE MANAGEMENT ASSISTANCE DIVISION
 8 16 For not more than the following full-time equivalent
 8 17 positions:
 8 18 FTEs 18.75

DETAIL: This Division is funded by the Fish and Game Protection Fund.

Specifies the FTE position limit for the Waste Management Assistance Division of the DNR. The Division's FTE position limit is unchanged from the net estimated FY 1992 level.

DETAIL: This Division is funded by the Groundwater Fund and federal funds.

8 19 [8. For the green thumb program for the employment of the
 8 20 elderly in conservation and outdoor recreation related fields
 8 21 in coordination with other agencies as provided by law, and
 8 22 for not more than the following full-time equivalent
 8 23 positions:
 8 24 \$ 129,279
 8 25 FTEs 10.00-J

VETOED

General Fund appropriation to the Green Thumb Program.

DETAIL: This is a decrease of \$83,512 (39.2%) and 8.68 (46.5%) FTE positions compared to the estimated net FY 1992 appropriation.

VETOED: The Governor vetoed this appropriation and stated the State's financial condition did not allow for continuation of this Program.

8 26 Sec. 7. There is appropriated from the state fish and game
 8 27 protection fund to the division of fish and wildlife of the
 8 28 department of natural resources for the fiscal year beginning
 8 29 July 1, 1992, and ending June 30, 1993, the following amount,
 8 30 or so much thereof as is necessary, to be used for
 8 31 administrative support, and for salaries, support,
 8 32 maintenance, equipment, and miscellaneous purposes:
 8 33 \$ 18,386,561

State Fish and Game Protection Fund appropriation to the Fish and Wildlife Division in the DNR for operations.

DETAIL: This is an increase of \$428,107 (2.3%) compared to the estimated net FY 1992 appropriation.

8 34 The department shall not expend more moneys from the fish
 8 35 and game protection fund than provided in this section, unless
 9 1 the expenditure derives from contributions made by a private
 9 2 entity, or a grant or moneys received from the federal
 9 3 government, and is approved by the natural resource

Permits the DNR to exceed the appropriation from the Fish and Game Fund if additional revenues are received from a public or private entity. Approval of the Natural Resource Commission and notification of the Legislative Fiscal Bureau (LFB) is required.

9 4 commission. The department of natural resources shall
 9 5 promptly notify the legislative fiscal bureau of the
 9 6 commission's approval, and the chairpersons and ranking
 9 7 members of the agriculture and natural resources
 9 8 appropriations subcommittee.

9 9 **Sec. 8.** There is appropriated from the marine fuel tax
 9 10 receipts deposited in the general fund of the state to the
 9 11 department of natural resources for the fiscal year beginning
 9 12 July 1, 1992, and ending June 30, 1993, the following amounts,
 9 13 or so much thereof as is necessary, to be used for the
 9 14 purposes designated:

9 15 1. For purposes of funding expenditures traditionally
 9 16 funded from marine fuel tax revenues, but not considered as
 9 17 capitals or operations:
 9 18 \$ 198,890

9 19 2. For purposes of maintaining and developing boating
 9 20 facilities and access to public waters by the parks and
 9 21 preserves division:
 9 22 \$ 432,959

9 23 [3. For deposit in the state fish and game protection fund
 9 24 for maintenance of boating access on lands managed by the fish
 9 25 and wildlife division:
 9 26 \$ 144,320] **VETOED**

9 27 4. For purposes of funding capitals traditionally funded
 9 28 from marine fuel tax receipts for the purposes specified in

DETAIL: For FY 1993, **all** General Fund appropriations of Marine Fuel Tax revenues total \$2,316,169. This is a decrease of \$1,491,398 (39.2%) compared to the estimated net FY 1992 appropriation. The Marine Fuel Tax is projected to generate \$2,400,000 for deposit in the General Fund in FY 1993.

General Fund appropriation of Marine Fuel Tax receipts for boating related projects and expenses that are not considered capitals or operations.

DETAIL: This appropriation is from receipts that were formerly deposited in the Marine Fuel Tax Fund.

General Fund appropriation of Marine Fuel Tax receipts to the Parks Division of the DNR for the maintenance of boating facilities and accesses.

General Fund appropriation of Marine Fuel Tax receipts to the Fish and Game Protection Fund for the maintenance of boating access on lands managed by that Division.

VETOED: The Governor vetoed this appropriation and stated that the Fish and Game Protection Fund had a sufficient balance to make this appropriation unnecessary.

General Fund appropriation to the DNR for boating related capital projects.

PG LN Senate File 2347 Explanation

9 29 section 324.79:
9 30 \$ 1,540,000

DETAIL: This appropriation is from receipts that were formerly deposited in the Marine Fuel Tax Fund.

9 31 Notwithstanding section 8.33, the unencumbered or
9 32 unobligated moneys remaining on June 30, 1993, from moneys
9 33 appropriated for purposes of funding capitals traditionally
9 34 funded from marine fuel tax receipts as provided in this
9 35 subsection 4 for the fiscal year beginning July 1, 1992, shall
10 1 revert on September 30, 1994.

CODE: Specifies that the capitals appropriation not revert until the end of FY 1994.

10 2 Sec. 9. There is transferred on July 1, 1992, from the
10 3 fees deposited under section 321G.7 to the fish and game
10 4 protection fund and appropriated to the department of natural
10 5 resources for the fiscal year beginning July 1, 1992, and
10 6 ending June 30, 1993, the following amount, or so much thereof
10 7 as is necessary, to be used for the purpose designated:
10 8 For the purpose of enforcing snowmobile laws as part of the
10 9 state snowmobile program administered by the department of
10 10 natural resources:
10 11 \$ 100,000

Snowmobile Fund transfer to the Fish and Game Protection Fund for enforcement of snowmobile laws and snowmobile safety.

10 12 Sec. 10. There is transferred on July 1, 1992, from the
10 13 fees deposited under section 106.52 to the fish and game
10 14 protection fund and appropriated to the department of natural
10 15 resources for the fiscal year beginning July 1, 1992, and
10 16 ending June 30, 1993, the following amount, or so much thereof
10 17 as is necessary, to be used for the purpose designated:
10 18 For purposes of administration and enforcement of
10 19 navigation laws and water safety:
10 20 \$ 950,000

Boat Registration Fund transfer to the Fish and Game Protection Fund for administration and enforcement of navigation laws and water safety.

10 21 MISCELLANEOUS

10 22 [Sec. 11. PREDATOR DAMAGE CONTROL. From moneys
10 23 appropriated for the fiscal year beginning July 1, 1992, and
10 24 ending June 30, 1993, to the agricultural experiment station

VETOED

Transfers \$50,000 from the Agricultural Experiment Station at Iowa State University to the DALs for a Predator Damage Management Program. This money is to

10 25 at Iowa state university of science and technology there is
 10 26 transferred to the department of agriculture and land
 10 27 stewardship for the fiscal year beginning July 1, 1992, and
 10 28 ending June 30, 1993, the following amount to be used for
 10 29 purposes of supporting a predator damage management program:
 10 30 \$ 50,000

come from the amount allocated for livestock disease research.

10 31 The program shall provide for controlling predators,
 10 32 including coyotes which interfere with agricultural production
 10 33 including livestock production. A primary purpose of the
 10 34 program shall be to reduce damages or injury to property
 10 35 involved in farming as defined in section 172C.1. The program
 11 1 shall emphasize the prevention of damage through management
 11 2 techniques which preserve the life and habitat of predators.
 11 3 An animal or an animal's habitat shall not be destroyed only
 11 4 because the animal belongs to a particular species. The
 11 5 department shall cooperate with the department of natural
 11 6 resources. The program shall be conducted in accordance with
 11 7 federal and state law, notwithstanding laws relating to open
 11 8 seasons.]

States that the Program be used for controlling predators which interfere with agricultural production (including livestock production), and emphasize the prevention of predator damage through management techniques.,

VETOED: The Governor vetoed this section and stated that the Board of Regents will revert this \$50,000 to the General Fund at the end of FY 1993.

11 9 Sec. 12. REAP.
 11 10 1. Notwithstanding the amount of the standing
 11 11 appropriation from the general fund of the state under section
 11 12 455A.18, subsection 3, there is appropriated from the general
 11 13 fund of the state, in lieu of the appropriation made in
 11 14 section 455A.18, for the fiscal year beginning July 1, 1992,
 11 15 to the Iowa resources enhancement and protection fund the sum
 11 16 of \$9,944,500, of which all moneys shall be allocated as
 11 17 provided in subsection 2 and section 455A.19.

CODE: General Fund appropriation of \$9,944,500 to the Resource Enhancement and Protection (REAP) Fund. Notwithstands the \$30.0 million standing appropriation to the REAP Fund.

DETAIL: The net estimated FY 1992 appropriation to the REAP Fund totaled \$10,267,225, of which \$2,500,000 was appropriated from the Lottery Fund. The FY 1993 appropriation is a decrease of \$322,745 (3.1%) compared to the estimated net FY 1992 appropriation.

11 18 [2. Of the amount appropriated under subsection 1, there is
 11 19 allocated the following amounts to be used for the purposes
 11 20 designated:

11 21 a. To the department of natural resources to support the

REAP Fund allocation to the Waste Volume Reduction

PG LN **Senate File 2347** **Explanation**

11 22 purposes specified pursuant to section 455D.15, subsection 3,
 11 23 paragraph g :
 11 24 \$ 500,000

and Recycling Fund of the DNR.

DETAIL: The Waste Volume Reduction and Recycling Fund currently has a limited funding source. The money is to be used by the DNR to award grants to local governments or private individuals to fund waste reduction and recycling activities.

VETOED: The Governor vetoed this allocation of the REAP appropriation and stated that other sources of funding existed for this Program. The Governor also stated that the vetoed funds would revert to the General Fund at the end of FY 1993. However, because the vetoed language is an allocation of an appropriation that does not revert, it will take legislative action to revert this money.

11 25 b. To the soil conservation division of the department of
 11 26 agriculture and land stewardship to provide state soil and
 11 27 water conservation cost-sharing moneys pursuant to chapter
 11 28 467A:
 11 29 \$ 400,000]

REAP Fund allocation to the DALs to be used to cost-share soil conservation practices with landowners.

DETAIL: Funds are also provided for soil conservation cost share through a \$5.9 million General Fund appropriation in Section 1(5)(b) of this Act.

VETOED: The Governor vetoed this allocation of the REAP appropriation and stated that other sources of funding existed for this Program. The Governor also stated that the vetoed funds would revert to the General Fund at the end of FY 1993. However, because the vetoed language is an allocation of an appropriation that does not revert, it will take legislative action to revert this money.

11 30 [Sec. 13. STREAM STABILIZATION. There is appropriated from
 11 31 the general fund of the state to the division of soil

General Fund appropriation to help develop and install projects to stabilize stream degradation.

11 32 conservation of the department of agriculture and land
 11 33 stewardship for the fiscal year beginning July 1, 1992, and
 11 34 ending June 30, 1993, the following amount, or so much thereof
 11 35 as is necessary, to be used for the purpose designated:
 12 1 For purposes of **participating** with local entities including
 12 2 local governments, and with entities receiving federal
 12 3 funding, in developing and installing projects that stabilize
 12 4 degrading stream channels in areas of the state determined by
 12 5 the division to require assistance:
 12 6 \$ 99,445]

The Soil Conservation Division will determine which areas of the State need assistance, and the funds are to be used as a match for entities receiving federal funding.

DETAIL: This is a new appropriation for FY 1993. In SF 529, the Agriculture and Natural Resources FY 1992 Appropriations bill, \$250,000 of soil conservation cost-share funds were earmarked for a stream degradation pilot project, but the intent language was vetoed by the Governor and the \$250,000 was deappropriated.

VETOED: The Governor vetoed this section, stating that it is a new program that will require ongoing funding.

12 7 [**Sec. 14. LAKE PROJECT.** There is appropriated from the
 12 8 **general** fund of the state to the department of natural
 12 9 resources for the fiscal year beginning July 1, 1992, and
 12 10 ending June 30, 1993, the following amount, or so much thereof
 12 11 as is necessary, to be used for the purpose designated:
 12 12 For the purpose of supporting lake preservation efforts at
 12 13 Black Hawk Lake:
 12 14 \$ 397,780

VETOED

General Fund appropriation to continue lake restoration activities currently underway at Black Hawk Lake in Sac County.

DETAIL: This project received funding from federal Clean Lakes funds and Marine Fuel Tax receipts in FY 1992.

VETOED: The Governor vetoed this appropriation and stated that funding was available for this project through the Marine Fuel Tax Capitals Program.

12 15 The moneys appropriated under this section shall be
 12 16 allocated by the department to continue lake preservation,
 12 17 including dredging operations, at Black Hawk Lake, located at
 12 18 Lake View, Iowa. Remaining moneys **previously** designated for
 12 19 Black Hawk Lake under the federal clean lakes program shall be
 12 20 allocated on a matching basis with moneys appropriated under
 12 21 this section for purposes of preserving Black Hawk Lake. The ...
 12 22 allocation of moneys shall be contingent upon land used as a

Requires federal Clean Lakes Program dollars that are currently approved for the project but remain unused to be used for the continued dredging of the lake. The appropriation is contingent on the local community providing a spoil site.

NOTE: This Section is effective upon enactment.

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12 23 spoil site for the lake being provided without financial
 12 24 obligation to the state and the active participation of a
 12 25 local entity in preparing the spoil site.
 12 26 This section shall become effective upon enactment.]

VETOED: The Governor vetoed this language and stated that funding is available for this project through the Marine Fuel Tax Capitals Program.

12 27 **Sec. 15.** The department of agriculture and land
 12 28 stewardship and the department of natural resources, in
 12 29 cooperation as necessary with the department of management and
 12 30 the department of personnel, shall provide a list to the
 12 31 legislative fiscal bureau, on a quarterly basis, of all
 12 32 permanent positions added to or deleted from the departments'
 12 33 table of organization in the previous fiscal quarter. This
 12 34 list shall include at least the position number, salary range,
 12 35 projected funding source ~~or~~ sources of each position, and the
 13 1 reason for the addition or deletion. The legislative fiscal
 13 2 bureau may use this information to assist in the establishment
 13 3 of the full-time equivalent position limits contained in the
 13 4 this Act for the departments.

Requires the DALs and the DNR to report to the LFB, on a quarterly basis, all additions and deletions to the Departments' Table of Organization.

13 5 **Sec. 16.** The department of revenue and finance in
 13 6 cooperation with the department of agriculture and land
 13 7 stewardship and the department of natural resources shall
 13 8 track receipts to the general fund which have traditionally
 13 9 been deposited into the following funds:
 13 10 1. The fertilizer fund created in section 200.9.
 13 11 2. The pesticide fund created in section 206.12.
 13 12 3. The dairy trade practices trust fund pursuant to
 13 13 section 192A.30.
 13 14 4. The milk fund created in section 192.111.
 13 15 5. The commercial feed fund created in section 198.9.
 13 16 6. The marine fuel tax fund created in section 324.79.
 13 17 7. The energy research and development fund provided in
 13 18 section 93.11.
 13 19 The departments designated in this section shall prepare
 13 20 reports detailing revenue from receipts traditionally
 13 21 deposited into each of the funds. A report shall be submitted
 13 22 to the legislative fiscal bureau at least once for each ~~three-~~

Requires the Department of Revenue and Finance, in cooperation with the DALs and DNR, to track receipts to the General Fund which have previously been deposited into the Fertilizer Fund, the Pesticide Fund, the Dairy Trade Practices Trust Fund, the Milk Fund, the Commercial Feed Trust Fund, the Marine Fuel Tax Fund, and the Energy Research and Development Fund. A report will be issued quarterly to the LFB on the status of these receipts.

13 23 month period as designated by the legislative fiscal bureau.

13 24 Sec. 17. The department of natural resources shall provide
 13 25 the legislative fiscal bureau information and financial data
 13 26 by cost center, on at least a monthly basis, relating to the
 13 27 indirect cost accounting procedure, the amount of funding from
 13 28 each funding source for each cost center, and the internal
 13 29 budget system used by the department. The information shall
 13 30 include but is not limited to financial data covering the
 13 31 department's budget by cost center and funding source prior to
 13 32 the start of the fiscal year, and to the department's actual
 13 33 expenditures by cost center and funding source after the
 13 34 accounting system has been closed for that fiscal year.

Requires the DNR to provide financial data to the LFB, on at least a monthly basis, by cost center relating to the indirect cost accounting procedure, the amount of funding from each funding source for each cost center, and the internal budget system.

13 35 Sec. 18. Notwithstanding section 17A.2, subsection 7,
 14 1 paragraph g, the department of natural resources shall by
 14 2 rule establish prices of plant material grown at the state
 14 3 forest nurseries to cover all expenses related to the growing
 14 4 of the plants.

CODE: Requires the DNR to establish, by administrative rule, prices of plant material grown at the State forest nurseries to cover all expenses related to the growing of the plants.

DETAIL: The DNR recovered greater than 100.0% of the operating cost in FY 1991. For FY 1992, the DNR increased prices by administrative rule. It is projected that nursery revenue will again exceed 100.0% of the cost of producing the plants for FY 1993.

14 5 The department shall develop programs to encourage the wise
 14 6 management and preservation of existing woodlands and shall
 14 7 continue its efforts to encourage forestation and
 14 8 reforestation on private and public lands in the state.
 14 9 The department shall encourage a cooperative relationship
 14 10 between the state forest nurseries and private nurseries in
 14 11 the state in order to achieve these goals.

Requires the DNR to develop programs to encourage wise management, preservation, forestation, and reforestation on private and public lands, and to encourage a cooperative relationship between the State forest nurseries and private nurseries.

14 12 Sec. 19. During the fiscal year for which funds are
 14 13 appropriated by sections 6 and 7 of this Act, the department
 14 14 of natural resources shall not require the installation or use

Prohibits the DNR from requiring the installation or use of equipment to control the emission of dust or other particulate matter located within the ambient

PG LN	Senate File 2347	Explanation
14 15 14 16 14 17 14 18	of equipment to control the emission of dust or other particulate matter on or by facilities for storage of grain which are located within the ambient air quality attainment areas for suspended particulates.	air quality attainment areas for suspended particulates.
14 19 14 20 14 21 14 22 14 23 14 24	Sec. 20. ZERO-BASE BUDGET PROPOSAL. The parks and preserves division of the department of natural resources shall submit a zero-base budget proposal for the fiscal year beginning July 1, 1993, and ending June 30, 1994, to the joint appropriations subcommittee on agriculture and natural resources by January 15, 1993.	Requires the Parks Division of the DNR to submit a zero-based budget request to the Agriculture and Natural Resources Appropriations Subcommittee by January 15, 1993.
14 25 14 26 14 27 14 28	Sec. 21. CODE EDITOR. The Code editor shall change the name of the waste management authority within the department of natural resources to the waste management assistance division wherever it appears in the Code.	Requires the Code Editor to replace the name Waste Management Authority Division with the Waste Management Assistance Division wherever it appears in the <u>Code of Iowa</u> .
14 29 14 30 14 31 14 32	Sec. 22. 1992 Iowa Acts, Senate File 2367, section 201, unnumbered paragraph 2, is amended by striking the paragraph. This section, being deemed of immediate importance, takes effect upon enactment.	CODE: Deletes language from SF 2367 (FY 1992 Adjustments and Salaries Bill) which grants authority to the Governor to allocate Use Tax receipts to fund any FY 1993 shortfall in the appropriations for Medical Assistance or Foster Care.
		NOTE: The Governor used item veto authority to delete the Use Tax language from SF 2367.
		CODE: Deletes the \$150,000 standing appropriation to the DNR for Energy Research and Development. These funds are included in the DNR's General Fund appropriation to the Energy and Geology Division.
15 2 15 3 15 4 15 5 15 6 15 7 15 8	that moneys be deposited into the energy research and development fund, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, all moneys shall be deposited into the general fund of the state. There is appropriated annually from the general fund of the state the sum of one hundred fifty thousand dollars to be used for the purposes of this section.	

15 9 [Sec. 24. NEW SECTION. 111.17A PAYMENT IN LIEU OF
 15 10 PROPERTY TAXES. The director of the department of natural
 15 11 resources shall submit a budget request to pay the annual
 15 12 property taxes on property held by the department. The budget
 15 13 request shall be submitted to the general assembly as part of
 15 14 the annual budget proposal provided in section 455A.4. The
 15 15 amount of the payment shall be based on property acquired on
 15 16 or after July 1, 1992, which would otherwise be subject to the
 15 17 levy of property taxes. The assessed value of property held
 15 18 by the department shall be that determined under section
 15 19 427.1, subsection 31, and the director may protest the
 15 20 assessed value in the manner provided by law for any property
 15 21 owner to protest an assessment. For the purposes of chapter
 15 22 257, the assessed value of any property which was acquired by
 15 23 the department on or after July 1, 1992, shall be included in
 15 24 the valuation base of the school district and the payments
 15 25 made pursuant to this section shall be considered as property
 15 26 tax revenues and not as miscellaneous income. The county
 15 27 treasurer shall certify the amount of taxes due to the
 15 28 department. The taxes shall be paid annually from the
 15 29 departmental fund or account from which the property
 15 30 acquisition was funded. If the departmental fund or account
 15 31 has no moneys, no longer exists, or if the acquisition of
 15 32 property was made without an expenditure of funds by the
 15 33 department, the taxes shall be paid from funds in the manner
 15 34 provided by the general assembly. If the total amount of
 15 35 taxes due, as certified to the department, exceeds the amount
 16 1 available for expenditure under this section, the property
 16 2 taxes due shall be reduced proportionately so that the total
 16 3 amount due equals the amount available for expenditure.]

VETOED

CODE: Requires the DNR to submit a General Fund appropriation request to the General Assembly, as part of the Department's annual budget request, to pay property taxes on all lands acquired by the Department after July 1, 1992. The General Assembly will consider the request through the appropriations process. If the amount appropriated by the General Assembly is not sufficient to cover the total property taxes due, the amounts will be prorated.

DETAIL: This language does not affect property taxes on property acquired by the Department prior to July 1, 1992. Property taxes on such land will be paid as provided by present law. For property acquired by the Department after July 1, 1992, property taxes will be paid as required by present law in the case of funding sources already subject to property tax. For property acquired after July 1, 1992 for which present law does not require property tax payment, this language will require the Department to pay the property tax with moneys from the funding source used to purchase the property. If the funding source used to purchase the property no longer exists, the Department will request a General Fund appropriation to pay the property taxes.

FISCAL EFFECT: This is projected to increase DNR expenditures \$2,000 each year (\$10,000 after 5 years). The language is not expected to impact the General Fund in the near future.

VETOED: The Governor vetoed this language and stated that the DNR already pays property taxes on the majority of the land the Department Purchases.

16 4 Sec. 25. NEW SECTION. 159.6A CONTRIBUTIONS.

CODE: Permits the DALs to accept contributions,

16 5 The department **may** accept contributions, including gifts
 16 6 and grants, in order to carry out and administer the
 16 7 provisions of this chapter. The department shall maintain an
 16 8 itemized accounting of the contributions. At the end of each
 16 9 fiscal year, the department shall prepare a list recognizing
 16 10 private contributors.

requires an accounting of them, and preparation of a list recognizing private contributors at the end of each fiscal year.

16 11 **Sec. 26.** Section 159.20, unnumbered paragraph 1, Code
 16 12 Supplement 1991, is amended to read as follows:
 16 13 ~~An agricultural marketing division is created within the~~
 16 14 ~~department.~~ The **division** department shall perform duties
 16 15 designed to lead to more advantageous marketing of Iowa
 16 16 agricultural commodities. The **division** department may **do** any
 -16 17 of the following:

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section deletes references to the Division.

16 18 **Sec. 27.** Section 159.20, subsections 5 and 9, Code
 16 19 Supplement 1991, are amended to read as follows:
 16 20 5. Accumulate and diffuse information concerning the
 16 21 marketing of agricultural commodities in cooperation with
 16 22 persons, agencies, or the federal government. The **division**
 16 23 department shall establish an agricultural commodity
 16 24 informational data base.
 16 25 9. Cooperate with the **Iowa** department of economic
 16 26 development to avoid duplication of efforts between the
 16 27 **division** department and the agricultural marketing program
 16 28 operated by the Iowa department of economic development.

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section deletes references to the Division.

16 29 **Sec. 28.** Section 159.20, unnumbered paragraph 2, Code
 16 30 Supplement 1991, is amended by striking the paragraph.

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section repeals the requirement that a Division administrator be appointed by the Secretary of Agriculture.

16 31 **Sec. 29.** Section 159.22, Code Supplement 1991, is amended
 16 32 to read as follows:
 16 33 159.22 GRANTS AND GIFTS OF FUNDS.
 16 34 The ~~division may with the approval of the~~ secretary **may**

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section deletes references to the Division.

16 35 accept grants and allotments of funds from the federal
 17 1 government and enter into co-operative agreements with the
 17 2 United States department of agriculture for projects to
 17 3 effectuate a purpose described in this subchapter. The
 17 4 ~~division may accept grants, gifts or allotments of funds from~~
 17 5 ~~any person for the purpose of carrying out the provisions of~~
 17 6 ~~this subchapter. If funds are accepted from a person, the~~
 17 7 ~~director shall prepare an itemized accounting to the~~
 17 8 ~~department at the end of each fiscal year.~~

17 9 Sec. 30. Section 159.23, Code 1991, is amended to read as
 17 10 follows:

17 11 159.23 SPECIAL FUND.

17 12 All fees collected as a result of the inspection and
 17 13 grading provisions set out herein shall be paid into the state
 17 14 treasury, there to be set aside in a separate fund which is,
 17 15 hereby appropriated for the use of the division department
 17 16 except as indicated. Withdrawals therefrom shall be by
 17 17 warrant of the director of revenue and finance upon
 17 18 requisition by the ~~administrator of the division approved by~~
 17 19 the secretary of agriculture. Such fund shall be continued
 17 20 from year to year, provided, however, that if there be any
 17 21 balance remaining at the end of the biennium which, in the
 17 22 opinion of the governor, director of management and secretary
 17 23 of agriculture, is greater than necessary for the proper
 17 24 administration of the inspection and grading program referred
 17 25 to herein, the treasurer of state is hereby authorized on the
 17 26 recommendation and with the approval of the governor, director
 17 27 of management and secretary of agriculture, to transfer to the
 17 28 general fund of the state that portion of such account as they
 17 29 shall deem advisable.

17 30 Sec. 31. Section 159.24, Code 1991, is amended to read as
 17 31 follows:

17 32 159.24 GRADES OR CLASSIFICATIONS OF FARM PRODUCTS.

17 33 A certificate of the grade, or other classification, of any
 17 34 farm products issued under ~~this division of~~ this chapter shall

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section deletes references to the Division.

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section deletes a reference to the Division.

17 35 be accepted in any court of this state as prima facie evidence
 18 1 of the true grade or classification of such farm products as
 18 2 the same existed at the time of their classification.

18 3 Sec. 32. Section 159.37, subsection 1, Code 1991, is
 18 4 amended to read as follows:
 18 5 1. The department shall establish ~~within the international~~
 18 6 ~~trade bureau of the marketing division~~ a special quality
 18 7 grains electronic bulletin board system. The system shall be
 18 8 available to any and all buyers and sellers of special quality
 18 9 grains for the purpose of posting the availability of special
 18 10 quality grains, or a demand for special quality grains.

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section deletes a reference to the Division.

18 11 Sec. 33. Section 159A.3, subsection 1, unnumbered
 18 12 paragraph 1, Code Supplement 1991, is amended to read as
 18 13 follows:
 18 14 An office of renewable fuel is created within the
 18 15 ~~agricultural marketing division of~~ the department and shall be
 18 16 staffed by a coordinator who shall be appointed by the
 18 17 ~~division administrator~~ secretary. It shall be the policy of
 18 18 the office to further renewable fuel activities. The office
 18 19 shall first further renewable fuel activities based on the
 18 20 following considerations: .

CODE: Due to making the Agricultural Marketing Division a Bureau under the Administrative Division in the DALs, this section deletes references to the Division.

18 21 Sec. 34, Section 199.3, subsection 4, Code 1991, is
 18 22 amended by adding the following new paragraph:
 18 23 NEW PARAGRAPH. g. The last date on which the variety of
 18 24 seed will normally germinate according to standards
 18 25 established by rules adopted by the department.

CODE: Specifies that the label on vegetable seed contain the last date on which it will normally germinate.

18 26 Sec. 35. Section 199.11, Code 1991, is amended to read as
 18 27 follows:
 18 28 199.11 AUTHORITY OF ~~SECRETARY OF AGRICULTURE~~ THE
 18 29 DEPARTMENT.
 18 30 1. For the purpose of carrying out the provisions of this
 18 31 chapter, the ~~state secretary of agriculture who may act~~
 18 32 ~~through authorized agents is hereby authorized and directed~~

CODE: Exempts lawn seed from the DALs sampling, inspecting, analyzing, and testing of agricultural seeds. Lawn seed is still subject to the existing regulations.

18 33 department shall do all of the following:

18 34 a. ~~To sample~~ Sample, inspect, ~~make analysis of~~ analyze,
 18 35 and test agricultural ~~seeds~~ seed other than lawn seed, if the
 19 1 agricultural seed is transported, sold, offered, or exposed
 19 2 for sale within this state for sowing purposes. ~~The~~
 19 3 department shall perform these duties at such a time and place
 19 4 and to such an extent ~~as the secretary may deem~~ necessary to
 19 5 determine ~~whether said~~ the agricultural ~~seeds are~~ seed is in
 19 6 compliance with ~~the provisions of~~ this chapter, ~~and to notify~~.
 19 7 The department shall promptly notify the person who
 19 8 transported, sold, offered, or exposed the seed for sale, of
 19 9 ~~any~~ a violation.

19 10 b. ~~To prescribe and, after public hearing following due~~
 19 11 ~~public notice, to adopt~~ Adopt rules ~~and regulations~~ governing
 19 12 the methods of sampling, inspecting, ~~analysis, tests~~
 19 13 analyzing, testing, and examination of examining agricultural
 19 14 ~~seed, and the~~ other than lawn seed. The rules shall include
 19 15 tolerances to be followed in the administration of this
 19 16 chapter, which shall be in general accord with officially
 19 17 prescribed practice in interstate commerce under the federal
 19 18 seed Act and ~~such~~ other rules ~~end or~~ regulations ~~as may be~~
 19 19 necessary ~~to secure~~ for the efficient enforcement of this
 19 20 chapter.

19 21 2. ~~Further, for~~ For the purpose of carrying out the
 19 22 provisions of this chapter, the ~~state secretary of~~
 19 23 ~~agriculture, individually or through authorized agents, is~~
 19 24 ~~authorized and directed~~ department may:

19 25 a. ~~To enter~~ Enter upon ~~any~~ public or private premises
 19 26 during regular business hours in order to have access to seeds
 19 27 commercial seed other than lawn seed, subject to this chapter
 19 28 and the departmental rules ~~and regulations thereunder~~.

19 29 b. ~~To issue~~ Issue and enforce a written or printed stop
 19 30 sale order to the owner or custodian of any lot of
 19 31 agricultural seed other than lawn seed which the ~~state~~
 19 32 ~~secretary of agriculture or the secretary's authorized agents~~
 19 33 ~~believe~~ department believes is in violation of ~~any of the~~
 19 34 ~~provisions of~~ this chapter which or departmental rules. The

19 35 order shall prohibit further sale of such the seed until such
 20 1 officer the department has evidence ~~that the law has been~~
 20 2 ~~complied with, provided, that~~ of compliance. However, the
 20 3 owner or custodian of such the seed shall be permitted to
 20 4 remove ~~said the~~ seed from a salesroom open to the public;
 20 5 ~~provided further, that in respect to seeds which have been~~
 20 6 ~~denied sale as provided in this subsection, judicial.~~
 20 7 Judicial review of the order may be sought in accordance with
 20 8 ~~the terms of the Iowa administrative procedure Act chapter~~
 20 9 ~~17A. Notwithstanding the terms of said Act~~ However,
 20 10 notwithstanding chapter 17A, petitions for judicial review may
 20 11 be filed in the district court; ~~and provided further, that the~~
 20 12 ~~provisions of this. This~~ subsection ~~shall~~ does not be
 20 13 ~~construed as limiting~~ limit the right of the enforcement
 20 14 officer department to proceed as authorized by other sections
 20 15 of this chapter.
 20 16 c. ~~To establish~~ Establish and maintain or make provision
 20 17 for seed testing facilities essential to the enforcement of
 20 18 this chapter; ~~to. The department may~~ employ qualified
 20 19 persons, and ~~to~~ incur such expenses ~~as may be~~ necessary to
 20 20 comply with these provisions.
 20 21 d. ~~To co-operate~~ Cooperate with the United States
 20 22 department of agriculture in seed law enforcement.

20 23 Sec. 36. Section 214.3, subsection 1, Code 1991, is
 20 24 amended to read as follows:
 20 25 1. The license for inspection of a commercial weighing and
 20 26 measuring device shall expire on December 31 of each year, and
 20 27 for a motor vehicle fuel pump on June 30 of each year. The
 20 28 amount of the fee due for each license shall be as provided in
 20 29 subsection 3, except that the fee for a motor vehicle fuel
 20 30 pump shall be ~~three~~ four dollars and fifty cents if paid
 20 31 within one month from the date the license is due.

20 32 Sec. 37. Section 214.3, subsection 3, paragraphs a through
 20 33 e, Code 1991, are amended to read as follows:
 20 34 a. Class S-III.

CODE: Increases the license fee for inspection of motor vehicle fuel pumps from \$3.00 to \$4.50 if it is paid within 1 month from the date the license is due.

CODE: Increases the license fee for commercial weighing and measuring devices, including Class S-III, Class S-II and S-III, Grain Moisture Meters,

- 20 35 (1) Railroad track scales, ~~seventy-one~~ one hundred six
 21 1 dollars and fifty cents.
- 21 2 (2) Other scales.
- 21 3 (a) 500 to 1,000 pounds capacity, ~~eleven~~ sixteen dollars
 21 4 and fifty cents.
- 21 5 (b) 1,001 to 30,000 pounds capacity, twenty-one ~~thirty-one~~
 21 6 dollars and fifty cents.
- 21 7 (c) 30,001 to 50,000 pounds capacity, ~~forty-one~~ sixty-one
 21 8 dollars and fifty cents.
- 21 9 (d) 50,001 pounds capacity or more, ~~fifty-six~~ eighty-four
 21 10 dollars.
- 21 11 (3) A minimum fee of ~~thirty-one~~ forty-six dollars and
 21 12 fifty cents shall be charged for each vehicle or livestock
 21 13 scale.
- 21 14 b. Class S-II and S-III, ~~six nine~~ dollars.
- 21 15 (1) Bench scale, ~~Six~~ nine dollars.
- 21 16 (2) Counter scale, ~~six nine~~ dollars.
- 21 17 (3) Portable platform scale, ~~six nine~~ dollars.
- 21 18 (4) Livestock monorail scale, ~~six nine~~ dollars.
- 21 19 (5) Single animal scale, ~~six nine~~ dollars.
- 21 20 (6) Grain test scale, ~~six nine~~ dollars.
- 21 21 (7) Precious metal and gems scale, ~~Six~~ nine dollars.
- 21 22 (8) Postal scale, ~~six nine~~ dollars.
- 21 23 c. (1) Grain moisture meters, ~~sixteen~~ twenty-four
 21 24 dollars.
- 21 25 (2) Additional meters at the same location, ~~eleven sixteen~~
 21 26 dollars and fifty cents.
- 21 27 d. Class M-I. One hundred-gallon prover.
- 21 28 (1) Bulk meters, ~~six nine~~ dollars.
- 21 29 (2) Bulk liquid petroleum gas meters, ~~thirty-five~~ fifty-
 21 30 two dollars and fifty cents.
- 21 31 (3) Bulk refined fuel meters, ~~six nine~~ dollars.
- 21 32 (4) Mass flow meters, ~~six nine~~ dollars.
- 21 33 e. Class M-II. Five-gallon prover.
- 21 34 (1) Slow flow meters, ~~six nine~~ dollars.
- 21 35 (2) Retail motor vehicle fuel pump, ~~six nine~~ dollars.

and Class M-II by 50.0%.

PG LN Senate File 2347 Explanation

22 1 Sec. 38. Section 215.2, subsections 1 and 2, Code 1991,
 22 2 are amended to read as follows:
 22 3 1. Class S, scales, ~~forty~~ seventy-five dollars per hour.
 22 4 2. Class M, meters, ~~thirty-five~~ fifty-two dollars ~~and~~
 22 5 fifty cents per hour.

CODE: Increases the license fee for special tests for calibration, testing, certification, or repair of weighing and measuring devices by 50.0%.

22 6 Sec. 39. Section 215.17, Code 1991, is amended to read as
 22 7 follows:
 22 8 215.17 TEST WEIGHTS TO BE USED.
 22 9 Any A person, firm or corporation engaged in scale repair
 22 10 work for hire shall use only test weights sealed by the
 22 11 department in determining the effectiveness of repair work and
 22 12 ~~said the~~ test weights shall be sealed as to their accuracy
 22 13 once each year. ~~Provided, however, that it shall be unlawful~~
 22 14 ~~for such~~ However, a person ~~to~~ shall not claim to be an
 22 15 official scale inspector ~~or to~~ and shall not use ~~said the~~ test
 22 16 weights except to determine the accuracy of scale repair work
 22 17 done by the person and the person shall not be entitled to no
 22 18 a fee for their use. A fee shall be charged and collected at
 22 19 time of inspection for the inspection of such weights as
 22 20 follows:
 22 21 All weights up to and including 25 pounds ... \$ ~~.75~~ 1.10 each
 22 22 ~~All weights~~
 22 23 Over twenty-five pounds capacity,
 22 24 up to and including 50 pounds ~~1.50~~ 2.25 each
 22 25 Over 50 pounds capacity, up to and
 22 26 including 100 pounds ~~2.00~~ 3.00 each
 22 27 Over 100 pounds capacity, up to
 22 28 and including 500 pounds ~~3.00~~ 4.50 each
 22 29 Over 500 pounds capacity, up to
 22 30 and including 1,000 pounds ~~5.00~~ 7.50 each
 22 31 The fee for all tank calibrations shall be as follows:
 22 32 100 gallons up to and including 300
 22 33 gallons \$ ~~3.00~~ 4.50
 22 34 301 gallons up to and including 500
 22 35 gallons ~~5.00~~ 7.50
 23 1 501 gallons up to and including 1,000

CODE: Increases the fees charged for the inspection of test weights by 50.0%.

23	2 gallons	7:50	<u>11.25</u>
23	3 1,001 gallons up to and including 2,000		
23	4 gallons	10:00	<u>15.00</u>
23	5 2,001 gallons up to and including 3,000		
23	6 gallons	12:00	<u>18.00</u>
23	7 3,001 gallons up to and including 4,000		
23	8 gallons	14:00	<u>21.00</u>
23	9 4,001 gallons up to and including 5,000		
23	10 gallons	16:00	<u>24.00</u>
23	11 5,001 gallons up to and including 6,000		
23	12 gallons	18:00	<u>27.00</u>
23	13 6,001 gallons up to and including 7,000		
23	14 gallons	20:00	<u>30.00</u>
23	15 7,001 gallons and up	25:00	<u>37.50</u>

23 16 ~~No calibration will~~ Calibration shall not be required of
 23 17 ~~any~~ a tank which is not used for the purpose of measuring, or
 23 18 ~~which~~ is equipped with a meter, ~~nor shall and~~ vehicle tanks
 23 19 loaded from meters and carrying a printed ticket showing
 23 20 gallonage shall not be required to be calibrated.

23 21 Sec. 40. Section 215A.9, unnumbered paragraph 2, Code
 23 22 1991, is amended to read as follows:
 23 23 A fee of ten ~~fifteen~~ dollars shall be charged for each
 23 24 device subject to reinspection under section 215A.5. All
 23 25 moneys received by the department under the provisions of this
 23 26 chapter shall be handled in the same manner as repayment
 23 27 receipts as defined in chapter 8, and shall be used for the
 23 28 administration and enforcement of the provisions of this
 23 29 chapter.

23 30 Sec. 41. Section 423.24, subsection 1, paragraph b, as
 23 31 enacted by 1992 Iowa Acts, House File 2456, section 6, is
 23 32 amended to read as follows:
 23 33 b. Beginning on July 1, 1993, three and one-half percent
 23 34 of the ~~remaining~~ revenue, not to exceed one million dollars
 23 35 per quarter, derived from the use tax on motor vehicles,
 24 1 trailers, and motor vehicle accessories and equipment as

CODE: Increases the fee charged for reinspection of moisture measuring devices from \$10.00 to \$15.00.

FISCAL EFFECT: The increases in fees for weighing and measuring devices are estimated to raise an additional \$210,000. These increases, along with a reduction of \$60,000 in the appropriation, make the Weights and Measures Bureau approximately 70.0% self-supporting.

CODE: Technical correction to prior legislation to allow 3.5% of the Use Tax revenue (but not more than \$1.0 million per quarter), to be deposited into the Ethanol Production Incentive Account of the Renewable Fuel Fund.

PG LN	Senate File 2347	Explanation
24 24 24 24 24 24 24 24 24 24	2 collected pursuant to section 423.7, shall be deposited in the ethanol production incentive account of the renewable fuel fund created in section 159A.7. Moneys deposited according to this paragraph are a continuing appropriation for expenditure under section 159A.8. Moneys deposited during a state fiscal year to the ethanol production incentive account which remain unobligated and unencumbered on July 31 of the following state fiscal year shall be credited to the road use tax fund as provided in this section.	
24 24 24 24 24 24 24 24	<p>24 11 Sec. 42. Section 455A.5, subsection 6, Code supplement 1991, is amended by adding the following new paragraph:</p> <p>24 13 <u>NEW PARAGRAPH.</u> f. Approve or disapprove proposals involving the dredging or renovation of lakes; the acquisition, development, and maintenance of boating facilities; and the acquisition, development, and maintenance of recreational facilities associated with recreational boating.</p>	CODE: Adds approval or disapproval of boating related capital projects to the duties of the Natural Resource Commission.
24 24 24 24 24 24 24 24 24 24 24	<p>24 19 Sec. 43. Section 455A.6, subsection 6, paragraph d, Code Supplement 1991, is amended to read as follows:</p> <p>24 21 d. Approve the budget request prepared by the director for the programs authorized by chapters 4558, 455C, 455E, and 455F. The commission shall approve the budget request prepared by the director for programs administered by the energy and geological resources division, the coordination and information division, the administrative services division, and the office of the director, as provided in section 455A.7. The commission may increase, decrease, or strike any item within the department budget request for the specified programs before granting approval.</p>	CODE: Deletes the Coordination and Information Division from the list of programs requiring budget approval by the Environmental Protection Commission.
24 24	24 31 Sec. 44. Section 455A.7, subsection 1, paragraph f, Code supplement 1991, is amended by striking the paragraph.	CODE: Repeals the Coordination and Information Division from the list of DNR divisions.
24 24	24 33 Sec. 45. Section 455A.7, subsection 1, paragraph j, Code Supplement 1991, is amended to read as follows:	CODE: Adds duties of the Coordination and Information Division to the duties of the

24 35 j. Office of the director which has responsibilities for
 25 1 administering the department, including information
 25 2 dissemination, education, and government liaison services.

Administrative Services Division. The Coordination and Information Division is eliminated in Section 43 of this Act.

25 3 Sec. 46. Section 455B.103A, Code Supplement 1991, is
 25 4 amended by adding the following new subsection:
 25 5 NEW SUBSECTION. 5. The enforcement provisions of division
 25 6 III, part of this chapter, apply to general permits for
 25 7 stormwater discharge.

CODE: Grants authority to the DNR to enforce general permits for stormwater discharge. This action allows the State to regulate the discharge of stormwater to the lakes, rivers, and streams of the State. Without this authority, the federal government would enforce the regulations.

25 8 Sec. 47. Section 4558.310. subsection 2, paragraph b,
 25 9 subparagraph (5). Code Supplement 1991, is amended to read as
 25 10 follows:

CODE: Extends the appropriation of \$50,000 from the Solid Waste Account of the Groundwater Protection Fund for microbial destruction of wet solid waste for 1 fiscal year. Delays the start of a \$50,000 Department of Economic Development appropriation from the Solid Waste Account from FY 1993 to FY 1994.

25 11 (5) Five cents per ton per year ~~is~~ appropriated to the
 25 12 department of economic development to establish, in
 25 13 cooperation with the department of natural resources, a
 25 14 marketing initiative to assist Iowa businesses producing
 25 15 recycling or reclamation equipment or services. recyclable
 25 16 products, or products from recycled materials to expand into
 25 17 national markets. Efforts shall include the reuse and
 25 18 recycling of sawdust. For the ~~each~~ fiscal year beginning July
 25 19 1, 1991, and ending June 30, 1992, and beginning July 1, 1992,
 25 20 and ending June 30, 1993, fifty thousand dollars of the moneys
 25 21 appropriated under this subparagraph shall be allocated for
 25 22 the purposes of developing advanced microbiological
 25 23 technologies for reduction, destruction, or ~~disposal~~ of wet
 25 24 solid waste. For ~~the each~~ fiscal year beginning July 1, 1992
 25 25 1993, and thereafter, fifty thousand dollars of the moneys
 25 26 appropriated under this subparagraph shall be used by the
 25 27 department of economic development to provide grants or loans
 25 28 to Iowa businesses which have participated in the waste
 25 29 reduction assistance program of the department of natural
 25 30 resources or the program provided by the waste reduction
 25 31 center at the university of northern Iowa, and which have..
 25 32 identified needs for equipment or retooling to achieve waste
 25 33 reduction.

FISCAL EFFECT: The combined fiscal impact of these changes is zero.

25 34 **Sec. 48. NEW SECTION.** 4558.601 PESTICIDE AND FERTILIZER
 25 35 CONTAMINATED AGRICULTURAL CHEMICAL DEALER SITES --
 26 1 PRIORITIZATION OF CLEANUP.

26 2 1. The commission shall adopt rules to establish criteria
 26 3 for the classification and prioritization of sites upon which
 26 4 contamination has been discovered.

26 5 a. For purposes of this section:

26 6 (1) Action level means action level as defined in 567
 26 7 IAC 133.2, adopted as of a specific date by rule of the
 26 8 department.

26 9 (2) Contamination means the presence of one **or** more
 26 10 pesticides, as defined in section 206.2, or the presence of
 26 11 fertilizer, as defined in section 200.3, in soil or
 26 12 groundwater at levels above those that would result at normal
 26 13 field application rates or above background levels.

26 14 (3) Contaminated site means a site upon which
 26 15 contamination has been discovered.

26 16 (4) Responsible person means responsible person as
 26 17 defined in 567 IAC 133.2, adopted as of a specific date by
 26 18 rule of the department.

26 19 b. A contaminated site shall be classified as either high,
 26 20 medium, or low priority. .

26 21 (1) A site shall be considered high priority under any of
 26 22 the following conditions:

26 23 (a) Groundwater contamination exceeds action levels and is
 26 24 affecting or likely to affect groundwater used as a drinking
 26 25 water source.

26 26 (b) Contamination is affecting or likely to affect surface
 26 27 water bodies to a level which exceeds surface water quality
 26 28 standards under section 4558.173.

26 29 (c) Contamination is discovered in an ecologically
 26 30 sensitive area. An ecologically sensitive area is one which
 26 31 is designated by the department.

26 32 (2) A site shall be considered medium priority if
 26 33 contamination of groundwater exceeds action levels, but does
 26 34 not meet the criteria for classification as a high priority

CODE: **Directs** the Environmental **Protection**
 Commission to adopt rules to classify and prioritize
 contaminated agricultural chemical dealer sites.
 Sites will be classified to be low, medium, or high
 priority based upon groundwater contamination,
 contamination of surface water bodies, the existence
 of an ecologically sensitive area, and soil
 contamination.

A site plan for each contaminated site will be
 developed and then approved by the DNR. The site
 plan would include a determination of the existing
 contamination, the proximity and effects on drinking
 water wells, site characteristics and the potential
 for migration of contamination, a recommendation on
 site classification, and investigation on the extent
 of remediation which should be **conducted on** the site.

Soils and groundwater on a high priority site will be
 actively remediated until contamination levels are
 below action levels. Remediation on a medium
 priority site will include either monitoring or
 active or passive remediation and will be determined
 on a site-by-site basis based on the site plan.
 Active soil remediation will be required on a low
 priority site if that would be more practical and
 cost-effective than monitoring. If active soil
 remediation is not done, the site will be monitored
 for a period of time.

26 35 site.

27 1 (3) A site shall be **considered** low priority under any of
27 2 the following conditions:

27 3 (a) **If** soil contamination exists at the site, but no
27 4 groundwater contamination exists at the site.

27 5 (b) **If** soil contamination exists **and groundwater**
27 6 contamination has been discovered, but is below action levels.

27 7 (4) A site shall be reclassified as a site with a higher
27 8 or lower classification when the site falls within a higher or
27 9 lower classification as established under this paragraph.

27 10 c. An initial site plan shall be developed by the
27 11 responsible person and approved by the department for each
27 12 site upon which contamination has been discovered. The site
27 13 plan shall include all of the following:

27 14 (1) A determination as to the extent of the existing soil,
27 15 groundwater, or surface water contamination.

27 16 (2) The proximity of the contamination and the likelihood
27 17 that the contamination will affect a drinking water well.

27 18 (3) The characteristics of the site and the potential for
27 19 migration of the contamination.

27 20 (4) A **recommendation** as to whether the site should be
27 21 classified as a high, medium, or low priority site.

27 22 (5) If a site is classified as a high or medium priority
27 23 site, further investigation shall be conducted to determine
27 24 the extent of the remediation which should be conducted on the
27 25 site.

27 26 d. The corrective action response requirements for high,
27 27 medium, or low priority sites shall be administered in
27 28 accordance with the following:

27 29 (1) **Soils** and groundwaters on a high priority site shall
27 30 be actively remediated, where technically feasible, until such
27 31 time as the groundwater contamination levels are below action
27 32 levels.

27 33 (2) Remediation on a medium priority site shall include
27 34 either monitoring or active or passive remediation and shall
27 35 be determined by the department on a site-by-site basis based
28 1 upon the findings of the site plan. Remediation on a medium

28 2 priority site shall include at least that which would be
 28 3 required on a low priority site.

28 4 (3) (a) Active soil remediation shall be required on a
 28 5 low priority site if remediation would be more practical and
 28 6 cost-effective than monitoring.

28 7 (b) If active **soil** remediation on a low priority site is
 28 8 undertaken, no further action shall be required on the site.

28 9 (c) If active soil remediation is not undertaken on a low
 28 10 priority site, a site shall be monitored, for a specified
 28 11 period of time as determined by the department.

28 12 2 This section is applicable to all sites upon which
 28 13 contamination has been discovered, unless corrective action on
 28 14 a site has already been approved and implemented.

28 15 3. Application of contaminated groundwaters and soils on
 28 16 land upon which the contaminants have been applied in
 28 17 accordance with department rules shall not exceed a level
 28 18 which would preclude the resumption of normal farming
 28 19 practices within a two-year period.

28 20 4. This section does not affect the ability of the
 28 21 department or the United States environmental protection
 28 22 agency to require monitoring or remediation on sites that are
 28 23 placed on the national priorities list pursuant to the federal
 28 24 Comprehensive Environmental Response, Compensation and
 28 25 Liability Act.

28 26 Sec. 49. Section 467A.7, subsections 17 and 19, Code 1991,
 28 27 are amended by striking the subsections.

CODE: Repeals sections which are transferred to Section 467A.73, Code of Iowa, in HF 2343 (Soil and Water Conservation Bill).

28 28 Sec. 50. Section 467A.43, unnumbered paragraph 2, as
 28 29 enacted in 1992 Iowa Acts, House File 2343, section 4, is
 28 30 amended to read as follows:
 28 31 A landowner shall not be liable for a claim based upon or
 28 32 arising out of a claim of negligent design or specification,
 28 33 negligent adoption of design or specification, or negligent
 28 34 installation, construction, or reconstruction of a soil and
 28 35 water ~~construction~~ conservation practice or an erosion control

CODE: Specifies that a landowner will not be liable for a claim based on negligent design, specification, installation, construction, or reconstruction of a soil and water conservation practice or an erosion control practice that was put in place in accordance with standards at the time.

29 1 practice that was installed, constructed, or reconstructed in
 29 2 accordance with generally recognized engineering or safety
 29 3 standards, criteria, or design theory in existence at the time
 29 4 of the installation, construction, or reconstruction. A soil
 29 5 and water conservation practice or an erosion control practice
 29 6 installed, constructed, or reconstructed in compliance with
 29 7 rules adopted by the division and currently in effect shall be
 29 8 deemed to be installed, constructed, or reconstructed
 29 9 according to generally recognized engineering or safety
 29 10 standards, criteria, or design theory in existence at the time
 29 11 of the installation, construction, or reconstruction. A claim
 29 12 shall not be allowed for failure to upgrade, improve, or alter
 29 13 any aspect of an existing soil and water conservation practice
 29 14 or erosion control practice to a new, changed, or altered
 29 15 design standard. This section does not apply to a claim based
 29 16 on a failure of a landowner to upgrade, improve, or alter a
 29 17 soil and water conservation practice or erosion control
 29 18 practice in violation of law. This section does not apply to
 29 19 claims based upon gross negligence.

29 20 **Sec. 51.** Section 467A.73, subsection 1, paragraph b, as
 29 21 enacted by 1992 Iowa Acts, House File 2343, section 8, is
 29 22 amended to read as follows:
 29 23 b. The allocation of moneys as financial incentives
 29 24 provided for the purpose of establishing management practices
 29 25 to control soil erosion on land that is row cropped, including
 29 26 but not limited to no-till planting, ridge-till planting,
 29 27 contouring, and contour strip-cropping. The division shall by
 29 28 rule establish limits on the amount of incentives which shall
 29 29 be authorized for payment to landowners upon establishment of
 29 30 the practice.

29 31 **Sec. 52.** Section 467A.73, subsection 2, paragraph a, as
 29 32 enacted in House File 2343 by the Seventy-fourth General
 29 33 Assembly, is amended to read as follows:
 29 34 a. The allocation of cost-share moneys as financial
 29 35 incentives under a special agreement with owners of land in

CODE: Specifies that financial Incentives may be used for establishing management practices to control soil erosion on land that is row cropped.

CODE: Allows for the use of cost-share moneys as financial incentives under special agreements with owners of land promising to adopt a watershed conservation plan. The watershed plan will be in conjunction with the owners' farm soil conservation

30 1 the district who promise to adopt a watershed conservation
 30 2 plan as provided by rules which shall be adopted by the
 30 3 division. The watershed conservation plan shall be in
 30 4 conjunction with ~~the district soil and water resource~~
 30 5 ~~conservation plan provided under section 467A.7~~ the owners'
 30 6 respective farm unit soil conservation plans. The funding
 30 7 agreement must provide for the funding of a project which
 30 8 ~~shall include~~ includes five or more contiguous farm units
 30 9 which have at least five hundred acres of agricultural land
 30 10 and which constitutes at least seventy-five percent of the
 30 11 agricultural land located within a watershed or subwatershed.
 30 12 The financial incentives shall not exceed sixty percent of the
 30 13 estimated cost of the project as determined by the
 30 14 commissioners or sixty percent of the actual cost, whichever
 30 15 is less.

plan. The funding agreement must provide for the funding of a project including 5 or more contiguous farm units having at least 500 acres of agricultural land with at least 75.0% of the land located within a watershed or subwatershed. The incentives will not exceed 60.0% of the estimated cost or the actual cost, whichever is less.

30 16 **Sec. 53.** Section 467A.74, subsection 1, paragraph a, as
 30 17 enacted in House File 2343 by the Seventy-fourth General
 30 18 Assembly, is amended to read as follows:
 30 19 a. The financial incentives shall not exceed more than
 30 20 fifty percent of the estimated cost of establishing the
 30 21 practices as determined by the commissioners, or fifty percent
 30 22 of the actual cost of establishing the practices, whichever is
 30 23 less. However, the commissioners may allocate an amount
 30 24 determined by the ~~division~~ division committee for management of soil
 30 25 and water conservation practices, except as otherwise provided
 30 26 regarding land classified as agricultural land under
 30 27 conservation cover.

CODE: This is corrective language. Changes a reference to the Soil Conservation Division to the Soil Conservation Committee.

30 28 **Sec. 54.** Section 467A.74, subsection 2, as enacted in
 30 29 House File 2343 by the Seventy-fourth General Assembly, is
 30 30 amended to read as follows:
 30 31 2. The committee shall review requirements of this section
 30 32 once each year. The ~~division~~ division committee may authorize
 30 33 commissioners in districts to condition the establishment of a
 30 34 mandatory soil and water conservation practice in a specific
 30 35 case on a higher proportion of public cost-sharing than is

CODE: This is corrective language. Changes a reference to the Soil Conservation Division to the Soil Conservation Committee.

31 1 required by this section. The commissioners shall determine
 31 2 the amount of cost-sharing moneys allocated to establish a
 31 3 specific soil and water conservation practice in accordance
 31 4 with an administrative order issued pursuant to section
 31 5 467A.47 by considering the extent to which the practice will
 31 6 contribute benefits to the individual owner or occupant of the
 31 7 land on which the practice is to be established.

31 8 **Sec. 55.** Section 542.1, Code 1991, is amended by adding
 31 9 the following new subsection:
 31 10 **NEW SUBSECTION.** 10. Good cause means that the
 31 11 department has cause to believe that the net worth or current
 31 12 asset to current liability ratio of a grain dealer presents a
 31 13 danger to sellers wlth whom the grain dealer does business,
 31 14 based on evidence of any of the following:
 31 15 a. The making of a payment by use of a financial
 31 16 instrument which is a check, share draft, draft, or written
 31 17 order on a financial institution, and a financial institution
 31 18 refuses payment on the instrument because of insufficient
 31 19 funds in a grain dealer's account.
 31 20 b. A violation of recordkeeping requirements provided in
 31 21 this chapter or rules adopted pursuant to this chapter by the
 31 22 department.
 31 23 c. A substantial risk of loss to the grain depositors and
 31 24 sellers indemnity fund caused by the possible insolvency of
 31 25 the grain dealer based on a statistical model provided in
 31 26 section 542.22.

31 27 **Sec. 56.** Section 542.3, subsection 4, paragraph b, Code
 31 28 1991, is amended to read as follows:
 31 29 b. The grain dealer shall submit, as required by the
 31 30 department, a financial statement **that** is accompanied by an
 31 31 unqualified opinion based upon an audit performed by a
 31 32 certified public accountant licensed in this state. However,
 31 33 the department may accept a qualification in an opinion that
 31 34 is unavoidable by any audit procedure that is permitted under
 31 35 generally accepted accounting principles. An opinion that is

CODE: Transfers and expands the definition of good cause for Chapter 542, Code of Iowa. Good cause means that the DALS has reason to believe that the net worth or current asset to liability ratio for a grain dealer presents a danger to sellers doing business with them.

CODE: States that a review audit may not be allowed if a grain dealer elects to purchase grain by credit sale contract under Section 542.15, Code of Iowa. Eliminates the good cause definition and strikes a reference to a quality or quantity shortage in a warehouse regulated under Chapter 543, Code of Iowa.

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32 1 qualified because of a limited audit procedure or because the
 32 2 scope of an **audit is limited** shall not be accepted by the
 32 3 department. The department shall not require that a grain
 32 4 dealer submit **more** than one such unqualified opinion per year.
 32 5 The grain dealer, except as provided in section 542.15, may
 32 6 ~~elect, however, to~~ submit a financial statement that is
 32 7 accompanied by the report of a certified public accountant
 32 8 licensed in this state that is based upon a review performed
 32 9 by the certified public accountant in lieu of the audited
 32 10 financial statement specified in this paragraph. However, at
 32 11 any time the department may require a financial statement that
 32 12 is accompanied by the report of a certified public accountant
 32 13 licensed in this state that is based upon a review **performed**
 32 14 **by** a certified public accountant if the department has good
 32 15 cause ~~to believe that the net worth or current asset to~~
 32 16 ~~current liability ratio of a licensee presents a danger to~~
 32 17 ~~producers or sellers with whom the licensee deals. Good~~
 32 18 ~~cause means that the department has evidence that the~~
 32 19 ~~licensee issued checks on insufficient funds, evidence of a~~
 32 20 ~~quality or quantity shortage in a warehouse facility, or~~
 32 21 ~~evidence of violations of recordkeeping requirements. If a~~
 32 22 ~~grain dealer making the election engages in credit sale~~
 32 23 ~~contracts, the grain dealer shall also comply with the~~
 32 24 ~~provisions of section 542.15, subsection 8.~~

32 25 **Sec. 57.** Section 542.3, subsection 5, paragraph b, Code
 32 26 1991, is amended to read as follows:
 32 27 b. The grain dealer shall submit, as required by the
 32 28 department, a financial statement that is accompanied by an
 32 29 unqualified opinion based upon an audit performed by a
 32 30 certified public accountant licensed in this state, However,
 32 31 the department may accept a qualification in an opinion that
 32 32 is unavoidable by any audit procedure that is' permitted under
 32 33 generally accepted accounting principles. An opinion that is
 32 34 qualified because of a limited audit procedure or because the
 32 35 scope of an audit is limited shall not be accepted by the
 33 1 department. The department shall not require that a grain

CODE: Eliminates the good cause definition and strikes a reference to a quality or quantity shortage in a warehouse regulated under Chapter 543, Code of Iowa.

33 2 dealer submit more than one such unqualified opinion per year.
 33 3 The grain dealer may elect, however, to submit a financial
 33 4 statement that is accompanied by the report of a certified
 33 5 public accountant licensed in this state that is based upon a
 33 6 review performed by the certified public accountant in lieu of
 33 7 the audited financial statement specified in this paragraph.
 33 8 However, at any time the department may require a financial
 33 9 statement that is accompanied by the report of a certified
 33 10 public accountant licensed in this state that is based upon a
 33 11 review performed by a certified public accountant if the
 33 12 department has good cause ~~to believe that the net worth or~~
 33 13 ~~current asset to current liability ratio of a licensee~~
 33 14 ~~presents a danger to producers or sellers with whom the~~
 33 15 ~~licensee deals. Good cause means that the department has~~
 33 16 ~~evidence that the licensee issued checks on insufficient~~
 33 17 ~~funds, evidence of a quality or quantity shortage in a~~
 33 18 ~~warehouse facility, or evidence of violations of recordkeeping~~
 33 19 ~~requirements. If a grain dealer making the election engages~~
 33 20 ~~in credit sale contracts, the grain dealer shall also comply~~
 33 21 ~~with the provisions of section 542.15, subsection 8.~~

33 22 Sec. 58. Section 542.5, unnumbered paragraph 1, Code 1991,
 33 23 is amended to read as follows:
 33 24 Upon the filing of the application and compliance with the
 33 25 terms and conditions of this chapter and rules of the
 33 26 department, the department shall issue a license to the
 33 27 applicant. The license shall terminate on at the thirtieth of
 33 28 June of each year end of the third calendar month following
 33 29 the close of the grain dealer's fiscal year. A grain dealer's
 33 30 license may be renewed annually by the filing of a renewal fee
 33 31 and a renewal application on a form prescribed by the
 33 32 department. An application for renewal shall be received by
 33 33 the department on or before the thirtieth of June end of the
 33 34 third calendar month following the close of the grain dealer's
 33 35 fiscal year. A grain dealer license which has terminated may
 34 1 be reinstated by the department upon receipt of a proper
 34 2 renewal application, the renewal fee, and the reinstatement

CODE: Requires grain dealer licenses to expire 3 months following the end of the fiscal year of the grain dealer instead of June 30. Fees for licenses issued for less than a full year will be prorated from the date of application.

34 3 fee as provided in section 542.6 if filed within thirty days
 34 4 from the date of termination of the grain dealer license. The
 34 5 department may cancel a license upon request of the licensee
 34 6 unless a complaint or information is filed against the
 34 7 licensee alleging a violation of a provision of this chapter.
 34 8 Fees for licenses issued for less than a full year shall be
 34 9 prorated from the date of the application.

34 10 **Sec. 59.** Section **542.6**, subsection 1, Code 1991, is
 34 11 amended to read as follows:

34 12 1. For the issuance or renewal of a license ~~for a grain~~
 34 13 ~~dealer~~ required under section 542.3, and for any inspection of
 34 14 a grain dealer, the fee shall be determined on the basis of
 34 15 ~~dollar volume of~~ all bushels of grain purchased during the
 34 16 grain dealer's previous ~~calendar~~ fiscal year ~~as follows~~
 34 17 according to the grain dealer's financial statement required
 34 18 in section 542.3. The fee shall be calculated according to
 34 19 the following schedule:

34 20 a. If the total number of bushels purchased is one-hundred
 34 21 thirty-five thousand ~~dollars~~ or less, the license fee is ~~forty~~
 34 22 sixty-six dollars and the inspection fee is fifty eighty-three
 34 23 dollars.

34 24 b. if the total number of bushels purchased is more than
 34 25 one-hundred thirty-five thousand ~~dollars~~, but not more than
 34 26 seven two hundred fifty thousand ~~dollars~~, the license fee is
 34 27 seventy one hundred sixteen dollars and the inspection fee is
 34 28 seventy-five one hundred twenty-five dollars.

34 29 c. If the total number of bushels purchased is more than
 34 30 seven two hundred fifty thousand ~~dollars~~, but not more than
 34 31 one-million five hundred thousand ~~dollars~~, the license fee is
 34 32 one hundred sixty-six dollars and the inspection fee is one
 34 33 hundred fifteen ninety-one dollars.

34 34 d. If the total number of bushels purchased is more than
 34 35 one-million five hundred thousand ~~dollars~~, but not more than
 35 1 three one million ~~dollars~~, the license fee is one two hundred
 35 2 seventy-five ninety-one dollars and the inspection fee is one
 35 3 two hundred fifty forty-nine dollars.

CODE: Changes the basis for license and inspection fees for grain dealers on bushels purchased rather than the dollar volume of purchases. Increases license and inspection fees for grain dealers by approximately 66.0%.

35 4 e. If the total number of bushels purchased is more than
 35 5 three one million dollars, but not more than four one million
 35 6 seven eight hundred fifty thousand dollars, the license fee is
 35 7 three four hundred ninety-eight dollars and the inspection fee
 35 8 is one three hundred eighty-five seven dollars.
 35 9 f. If the total number of bushels purchased is more than
 35 10 four one million seven eight hundred fifty thousand dollars,
 35 11 but not more than nine three million five two hundred thousand
 35 12 dollars, the license fee is four seven hundred twenty-five six
 35 13 dollars and the inspection fee is two three hundred twenty-
 35 14 five seventy-four dollars.
 35 15 g. If the total number of bushels purchased is more than
 35 16 nine three million five two hundred thousand dollars, the
 35 17 license fee is five nine hundred seventy-five fifty-five
 35 18 dollars and the inspection fee is two four hundred sixty-five
 35 19 forty dollars.
 35 20 If the applicant did not purchase grain in the applicant's
 35 21 previous calendar fiscal year, the applicant will shall pay
 35 22 the fee specified in paragraph a. If during the license
 35 23 period licensee's fiscal year the total number of bushels of
 35 24 grain actually purchased exceeds one-hundred thirty-five
 35 25 thousand dollars, the licensee shall notify the department and
 35 26 the license and inspection fee shall be adjusted accordingly.
 35 27 Subsequent adjustments shall be made as necessary. An
 35 28 applicant may elect licensing in any category of this
 35 29 subsection. New Fees for new licenses issued for less than a
 35 30 full year shall be prorated from the date of application.

35 31 Sec. 60. Section 542.9, unnumbered paragraph 1, Code 1991,
 35 32 is amended to read as follows:
 35 33 The department may inspect the premises used by any grain
 35 34 dealer in the conduct of the dealer's business at any time,
 35 35 and the books, accounts, records, and papers of every grain
 36 1 dealer which pertain to grain purchases are subject to
 36 2 inspection by the department during ordinary business hours.
 36 3 The department shall cause the business premises and books,
 36 4 accounts, records, and papers of every grain dealer to be

CODE: Changes the requirement that the DALs inspect grain dealers not less than once during each 12 month period, to at least once during each 18 month period. Requires the DALs to prioritize inspections, and allows use of a risk rating produced by a statistical model as justification to conduct an inspection.

36 5 inspected ~~not less than~~ at least once ~~during~~ each ~~twelve-month~~
 36 6 ~~eighteen-month period, but not more than four times in a~~
 36 7 ~~twenty-four-month period~~ without ~~good-cause~~ justification.
 36 8 The department shall prioritize inspections based on the
 36 9 system provided in section 542.22. The department may use a
 36 10 risk rating produced by a statistical model provided in
 36 11 section 542.22 as justification to conduct an inspection. The
 36 12 transporter of grain in transit shall possess bills of lading
 36 13 or other documents covering the grain, and shall present them
 36 14 to any law enforcement officer or to a person designated as an
 36 15 enforcement officer under section 542.13 on demand. If there
 36 16 is ~~good-cause~~ justification to believe that a person is
 36 17 engaged without a license in the business of a grain dealer in
 36 18 this state, the department may inspect the books, papers, and
 36 19 records of the person which pertain to grain purchases.

36 20 Sec. 61. Section 542.11, subsection 4, Code 1991, is
 36 21 amended to read as follows:

36 22 4. A person in violation of this chapter, or a in
 36 23 violation of chapter 714 or 715A ~~involving, which violation~~
 36 24 involves the business of a grain dealer, is subject to
 36 25 prosecution by the county attorney in the county where the
 36 26 business is located. However, if the county attorney fails to
 36 27 initiate prosecution within thirty days and upon request by
 36 28 the department, the attorney general may initiate and carry
 36 29 out the prosecution in cooperation, if possible, with the
 36 30 county attorney. The person in violation may be restrained by
 36 31 an injunction in an action brought by the department or the
 36 32 attorney general upon request by the department.

CODE: Provides that if the county attorney fails to initiate prosecution within 30 days for violations of Chapters 542, 714, or 715A, Code of Iowa, the Attorney General may prosecute upon request by the DALS.

36 33 Sec. 62. NEW SECTION. 542.12A LIEN ON GRAIN DEALER
 36 34 ASSETS.

36 35 1. A statutory lien ~~is~~ imposed on all grain dealer assets
 37 1 in favor of sellers who have surrendered warehouse receipts or
 37 2 other written evidence of ownership as part of a grain sale
 37 3 transaction or who possess written evidence of the sale of
 37 4 grain to a grain dealer, without receiving full payment for

CODE: Creates a statutory lien on the assets of the grain dealer in favor of sellers. To perfect the lien, the Iowa Grain Indemnity Fund Board must file a lien statement with the Secretary of State. The lien of all sellers is assigned to the Board on behalf of the Grain Depositors and Sellers Indemnity Fund. The lien statement is valid only if filed on or after the

37 5 the grain.
 37 6 2. Grain dealer assets includes proceeds received or due
 37 7 a grain dealer upon the sale, including exchange, collection,
 37 8 or other disposition, of grain sold by the grain dealer. As
 37 9 used in this section, proceeds means noncash and cash
 37 10 proceeds as provided in section 554.9306. Grain dealer
 37 11 assets also includes any other funds or property of the grain
 37 12 dealer which can be directly traced as being from the sale of
 37 13 grain by the grain dealer, or which were utilized in the
 37 14 business operation of the grain dealer. A court, upon
 37 15 petition by an affected party, may order that claimed grain
 37 16 dealer assets are not grain dealer assets as defined in this
 37 17 section. The burden of proof shall be upon the petitioner to
 37 18 establish that the assets are not grain dealer assets as
 37 19 defined in this section.
 37 20 3. The lien shall arise at the time of'surrender of
 37 21 warehouse receipts or other written evidence of ownership as
 37 22 part of a grain sale transaction or the time of delivery of
 37 23 the grain for sale, and shall terminate when the liability of
 37 24 the grain dealer to the seller has been discharged. The lien
 37 25 of all sellers is hereby assigned to the Iowa grain indemnity
 37 26 fund board, on behalf of the grain depositors and sellers
 37 27 indemnity fund.
 37 28 4. To perfect the lien, the Iowa grain indemnity fund
 37 29 board must file a lien statement with the office of the
 37 30 secretary of state. The lien statement is valid only if filed
 37 31 on or after the date of suspension but not later than sixty
 37 32 days after the incurrence date as provided in section 543A.6.
 37 33 The lien statement shall disclose the name of the grain
 37 34 dealer, the address of the dealer's principal place of
 37 35 business, a description of identifiable grain dealer assets,
 38 1 and the amount of the lien. The lien amount shall be the
 38 2 board's estimate of the final cost of reimbursing the grain
 38 3 depositors and sellers indemnity fund for the payment of
 38 4 claims against the fund resulting from the breach of the grain
 38 5 dealer's obligations. The board shall correct the amount not
 38 6 later than one hundred eighty days following the incurrence

suspension of the license of the grain dealer. Upon written demand of the grain dealer, the Board will file a termination statement with the Secretary of State if the license of the grain dealer is not revoked, terminated, or canceled after 180 days from the date that the lien is perfected.

38 7 date. A court, upon petition by an affected person, may
38 8 correct the amount. The board shall have the burden of
38 9 proving that the amount is an accurate estimate.

38 10 5. The Iowa grain indemnity fund board shall upon written
38 11 demand of the grain dealer file a termination statement with
38 12 the secretary of state, if the license of the grain dealer is
38 13 not revoked, terminated, or canceled after one hundred eighty
38 14 days from the date that the lien is perfected. Upon filing
38 15 the termination statement, the lien becomes unperfected. The
38 16 board shall also deliver a copy of the termination statement
38 17 to the grain dealer.

38 18 6. The secretary of state shall note the filing of a lien
38 19 statement under this section in a manner provided by chapter
38 20 554, the uniform commercial code. The secretary shall note
38 21 the filing of a termination statement with the lien statement.

38 22 7. A lien statement filed under this section shall be a
38 23 security interest perfected under chapter 554 and subject to
38 24 the same priority as provided under section 554.9312.

38 25 8. If the grain dealer is also licensed under chapter 543,
38 26 and in the event the department is appointed as a receiver
38 27 under section 543.3, assets under the authority of the
38 28 receiver are free from this statutory lien. However, if there
38 29 are receivership assets in excess of those necessary to fully
38 30 reimburse depositors, the perfected lien will attach to those
38 31 excess assets.

38 32 9. The board may enforce the lien in the manner provided
38 33 in chapter 554, article 9, part 5, for the enforcement of
38 34 security interests. If, upon enforcement of the lien, the
38 35 lien amount is satisfied in full without exhaustion of the
39 1 grain dealer assets, the remaining assets shall be returned to
39 2 the grain dealer or, if there are competing claims to those
39 3 remaining assets by other creditors, shall place those assets
39 4 in the custody of the district court and implead the known
39 5 creditors.

39 6 For purposes of enforcement of the lien, the board is
39 7 deemed to be the secured party and the grain dealer is deemed
39 8 to be the debtor, and each has the respective rights and

39 9 duties of a secured party and a debtor as provided in chapter
 39 10 554, article 9, part 5. If a right or duty under chapter 554,
 39 11 article 9, part 5, is contingent upon the existence of express
 39 12 language in a security agreement, or may be waived by express
 39 13 language in a security agreement, the requisite language is
 39 14 deemed not to exist for purposes of enforcement of the lien
 39 15 created by this section.

39 16 10. Actions relating to this section shall be brought in
 39 17 the district court in the county in which the grain dealer's
 39 18 primary place of business is located or in Polk county.

39 19 Sec. 63. Section 542.15, subsection 7, Code 1991, is
 39 20 amended by striking the subsection and inserting in lieu
 39 21 thereof the following:

39 22 7. a. A grain dealer shall not purchase grain on credit-
 39 23 sale contract during any time period in which the grain dealer
 39 24 fails to maintain fifty cents of net worth for each
 39 25 outstanding bushel of grain purchased under credit. The grain
 39 26 dealer may maintain a deficiency bond or an irrevocable letter
 39 27 of credit in the amount of two thousand dollars for each one
 39 28 thousand dollars or fraction thereof of deficiency in net
 39 29 worth.

39 30 b. A grain dealer holding a federal or state warehouse
 39 31 license who does not have a sufficient quantity or quality of
 39 32 grain to satisfy the warehouse operator's obligations based on
 39 33 an examination by the department or the United States
 39 34 department of agriculture shall not purchase grain on credit-
 39 35 sale contract to correct the shortage of grain.

40 1 c. A grain dealer must meet at least either of the
 40 2 following conditions:

40 3 (1) The grain dealer's last financial statement required
 40 4 to be submitted to the department pursuant to section 542.3 is
 40 5 accompanied by an unqualified opinion based upon an audit
 40 6 performed by a certified public accountant licensed in this
 40 7 state.

40 8 (2) The grain dealer files a bond with the department in
 40 9 the amount of one hundred thousand dollars payable to the

CODE: Prohibits a grain dealer from purchasing grain by credit sale contract during any time period in which the grain dealer fails to maintain at least 50 cents of net worth for each outstanding bushel of grain purchased under credit. Allows a grain dealer to maintain a deficiency bond or irrevocable letter of credit in the amount of \$2,000 for each \$1,000 or fraction of deficiency. Provides that a grain dealer who does not have a sufficient quantity or quality of grain to satisfy the warehouse operator's obligations cannot purchase grain on credit to correct a shortage of grain.

Requires that a grain dealer meet 1 of the following conditions to be able to purchase grain on credit:

1. The grain dealer's last financial statement must be accompanied by an unqualified opinion based upon an audit performed by a certified public accountant.
2. The grain dealer must file a bond with the DALs in the amount of \$100,000 payable to indemnify the sellers who sell grain to the dealer on credit sale contract. The DALs is required to adopt administrative rules relating to the administration of the bond.

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40 10 department. The bond shall be used to indemnify sellers for
 40 11 losses resulting from a breach of a credit-sale contract as
 40 12 provided by rules adopted by the department. The rules shall
 40 13 include, but are not limited to, procedures and criteria for
 40 14 providing notice, filing claims, valuing losses, and paying
 40 15 claims. The bond provided in this paragraph shall be in
 40 16 addition to any other bond required in this chapter.
 40 17 A bond filed with the department under this paragraph shall
 40 18 not be canceled by the issuer on less than ninety days notice
 40 19 by certified mail to the department and the principal. When
 40 20 the department receives notice from an issuer that it has
 40 21 canceled the bond, the department shall automatically suspend
 40 22 the grain dealer's license if a replacement bond is not
 40 23 received by the department within sixty days of the issuance
 40 24 of the notice of cancellation. The department shall cause an
 40 25 inspection of the licensed grain dealer immediately at the end
 40 26 of the sixty-day period. If a replacement bond is not filed
 40 27 within another thirty days following the suspension, the grain
 40 28 dealer license shall be automatically revoked. When a license
 40 29 is revoked, the department shall provide notice of the
 40 30 revocation by ordinary mail to the last known address of each
 40 31 holder of an outstanding credit-sale contract and all known
 40 32 sellers.

40 33 Sec. 64. Section 542.15, Code 1991, is amended by adding
 40 34 the following new subsection:
 40 35 NEW SUBSECTION. 7A. The department may adopt rules to
 41 1 suspend the right of a grain dealer to purchase grain by
 41 2 credit-sale contract based on any of the following conditions:
 41 3 a. The grain dealer holding a federal or state warehouse
 41 4 license does not have a sufficient quantity or quality of
 41 5 grain to satisfy the warehouse operator's obligations based on
 41 6 an examination by the department or the United States
 41 7 department of agriculture.
 41 8 b. The grain dealer holding a state or federal warehouse.
 41 9 license issues back to the grain dealer a warehouse receipt
 41 10 for purposes of providing collateral, if the grain which is

CODE: Provides that the DALs may adopt administrative rules to suspend the right of a grain dealer to purchase grain by credit-sale contract based on the following circumstances:

1. The grain dealer does not have sufficient quantity or quality of grain to satisfy the warehouse operator's obligations.
2. The grain dealer issues to themselves a warehouse receipt for purposes of providing collateral, if the grain subject to the warehouse receipts was purchased on credit and is unpaid for by the grain dealer.

41 11 the subject of the warehouse receipt was purchased on credit
 41 12 and is unpaid for by the grain dealer.
 41 13 c. The grain dealer fails to maintain requirements
 41 14 relating to net worth or fails to maintain a ratio of current
 41 15 assets to current liabilities, as required in section 542.3.
 41 16 d. The grain dealer violates this section.
 41 17 e. The grain dealer's total liabilities are greater than
 41 18 seventy-five percent of the grain dealer's total assets.
 41 19 f. The grain dealer has made payment by use of a financial
 41 20 instrument which is a check, share draft, draft, or written
 41 21 order on a financial institution, and a financial institution
 41 22 refuses payment on the instrument because of insufficient
 41 23 funds in a grain dealer's account.
 41 24 g. The department discovers that a grain dealer has
 41 25 delayed payment for grain purchased since the department last
 41 26 inspected the grain dealer pursuant to section 542.9.

41 27 **Sec. 65. NEW SECTION. 542.22 PRIORITIZATION OF**
 41 28 **INSPECTIONS OF GRAIN DEALERS.**
 41 29 The department shall develop a system to prioritize the
 41 30 inspections of grain dealers provided in section 542.9. The
 41 31 system of prioritization shall be computed each year based on
 41 32 the risk of loss to the grain depositors and sellers indemnity
 41 33 fund caused by the possible insolvency of the grain dealer.
 41 34 The department shall compute the risk by utilizing an
 41 35 available statistical model to measure the financial condition
 42 1 of grain dealers, and especially grain dealers who execute
 42 2 credit-sale contracts. Procedures for utilizing the
 42 3 statistical model shall be adopted by department rules. The
 42 4 statistical model shall be used to provide risk ratings. A
 42 5 risk rating shall be used as a factor by the department to
 42 6 prioritize its inspection schedule. The department may use a
 42 7 risk rating produced by the statistical model as justification
 42 8 to inspect the grain dealer at any time. A substantial risk
 42 9 of loss to the grain depositors and sellers indemnity fund
 42 10 caused by the possible insolvency of the grain dealer based on

3. The grain dealer fails to maintain requirements relating to net worth or fails to maintain a ratio of current assets to current liabilities as required in Section 542.3, Code of Iowa.
4. The grain dealer violates a provision of Section 542.15, Code of Iowa, which regulates credit-sale contracts.
5. The grain dealer's total liabilities are greater than 75.0% of current assets.
6. The grain dealer has made payment by use of a check or financial instrument on a financial institution, and a financial institution refuses payment on the instrument because of insufficient funds in the dealer's account.
7. The DALS discovers that a grain **dealer** has delayed payment for grain purchased **since** the DALS has conducted its last **inspection**.

CODE: Requires that the DALS develop a system to prioritize the inspections of grain dealers to be based on a statistical model. The system may be used to determine good cause.

42 11 the statistical model shall be good cause.

42 12 Sec. 66. Section 543.1, Code 1991, is amended by adding
 42 13 the following new subsection:
 42 14 NEW SUBSECTION. 7A. Good cause means that the
 42 15 department has cause to believe that the net worth or current
 42 16 asset to current liability ratio of a warehouse operator
 42 17 presents a danger to depositors with whom the warehouse
 42 18 operator does business, based on evidence of any of the
 42 19 following:
 42 20 a. The making of a payment by use of a financial
 42 21 instrument which is a check, share draft, draft, or written
 42 22 order on a financial institution, and a financial institution
 42 23 refuses payment on the instrument because of insufficient
 42 24 funds in the warehouse operator's account.
 42 25 b. A violation of recordkeeping requirements provided in
 42 26 this chapter or rules adopted pursuant to this chapter by the
 42 27 department.
 42 28 c. A quality or quantity shortage in the warehouse
 42 29 facility.
 42 30 d. A high risk of loss to the grain depositors and sellers
 42 31 indemnity fund caused by the possible insolvency of the
 42 32 warehouse operator based on a statistical model provided in
 42 33 section 543.40.

CODE: Transfers and expands the definition of good cause to Chapter 543, Code of Iowa. Good cause means that the DALS has reason to believe that the net worth or current asset to liability ratio for a grain dealer presents a danger to sellers doing business with the dealer.

42 34 Sec. 67. Section 543.2, unnumbered paragraph 1, Code 1991,
 42 35 is amended to read as follows:
 43 1 The department may exercise **general** supervision over the
 43 2 storage, warehousing, classifying according to grade or
 43 3 otherwise, weighing, and certification of agricultural
 43 4 products. The department may inspect or cause to be inspected
 43 5 any warehouse. Inspections may be made at times and for
 43 6 purposes as the department determines. Except as provided in
 43 7 section 543.6, the department shall cause every licensed
 43 8 warehouse and its contents to be inspected once in every
 43 9 twelve-month period. The department shall prioritize
 43 10 inspections based on the system provided in section 543.40.

CODE: Provides for the inspection of warehouse operators by the DALS and requires that the inspections be prioritized based on a statistical model.

43 11 The department may require the filing of reports relating to a
 43 12 warehouse or its operation. If upon inspection a deficiency
 43 13 is found to exist as to the quantity or quality of
 43 14 agricultural products stored, as indicated on the warehouse
 43 15 operator's books and records according to official grain
 43 16 standards, the department may require an employee of the
 43 17 department to remain at the licensed warehouse and supervise
 43 18 all operations involving agricultural products stored there
 43 19 under this chapter until the deficiency is corrected. The
 43 20 charge for the cost of maintaining an employee of the
 43 21 department at a warehouse to supervise the correction of a
 43 22 deficiency is one hundred fifty dollars per day.

43 23 [Sec. 68. Section 543.4, subsection 6, Code 1991, is
 43 24 amended to read as follows:
 43 25 6. The department is entitled to reimbursement out of
 43 26 commodities or proceeds held in receivership for all expenses
 43 27 incurred as court costs or in handling and disposing of stored
 43 28 commodities, and for all other costs directly attributable to
 43 29 the receivership. The right of reimbursement of the
 43 30 department is prior to any claims against the commodities or
 43 31 proceeds of sales of commodities, and constitutes a claim
 43 32 against a deficiency bond or irrevocable letter of credit.
 43 33 Notwithstanding section 8.33, the reimbursement amount
 43 34 received by the department in a fiscal year shall not revert
 43 35 unless unobligated or unencumbered on June 30 of the following
 44 1 fiscal year.]

VETOED

CODE: Requires that when the DALS receives reimbursement for expenses related to a receivership, those funds not revert until June 30 of the following fiscal year.

VETOED: The Governor vetoed this section. He stated that this type of receipt is a repayment receipt as defined in Section 8.2, Code of Iowa, and must be expended in the year it is received or be reverted to the General Fund.

44 2 Sec. 69. Section 543.6, subsection 4, paragraph b, Code
 44 3 1991, is amended to read as follows:
 44 4 b. The warehouse operator shall submit, as required by the
 44 5 department, a financial statement that is accompanied by an
 44 6 unqualified opinion based upon an audit performed by a
 44 7 certified public accountant licensed in this state. However,
 44 8 the department may accept a qualification in an opinion that
 44 9 is unavoidable by any audit procedure that is permitted under
 44 10 generally accepted accounting principles. An opinion that is

CODE: Strikes the definition of good cause defined earlier.

44 11 qualified because of a limited audit procedure or because the
 44 12 scope of an audit is limited shall not be accepted by the
 44 13 department. The department shall not require that a warehouse
 44 14 operator submit more than one such unqualified opinion per
 44 15 year. The warehouse operator may elect, however, to submit a
 44 16 financial statement that is accompanied by the report of a
 44 17 certified public accountant licensed in this state that is
 44 18 based upon a review performed by the certified public
 44 19 accountant in lieu of the audited financial statement
 44 20 specified in this paragraph. However, at any time the
 44 21 department may require a financial statement that is
 44 22 accompanied by the report of a certified public accountant
 44 23 licensed in this state that is based upon a review performed
 44 24 by a certified public accountant if the department has good
 44 25 cause ~~to believe that the net worth or current asset to~~
 44 26 ~~current liability ratio of a licensee presents a danger to~~
 44 27 ~~producers or sellers with whom the licensee deals. Good~~
 44 28 ~~cause means that the department has evidence that the~~
 44 29 ~~licensee issued checks on insufficient funds, evidence of a~~
 44 30 ~~quality or quantity shortage in a warehouse facility, or~~
 44 31 ~~evidence of violations of recordkeeping requirements.~~

44 32 Sec. 70. Section 543.6; subsection 5, paragraph b, Code
 44 33 1991, is amended to read as follows:
 44 34 b. The warehouse operator shall submit, as required by the
 44 35 department, a financial statement that is accompanied by an
 45 1 unqualified opinion based upon an audit performed by a
 45 2 certified public accountant licensed in this state. However,
 45 3 the department may accept a qualification in an opinion that
 45 4 is unavoidable by any audit procedure that is permitted under
 45 5 generally accepted accounting principles. An opinion that is
 45 6 qualified because of a limited audit procedure or because the
 45 7 scope of an audit is limited shall not be accepted by the
 45 8 department. The department shall not require that a warehouse
 45 9 operator submit more than one such unqualified opinion per
 45 10 year. The warehouse operator may elect, however, to submit a
 45 11 financial statement that is accompanied by the report of a

CODE: Strikes the definition of good cause defined earlier.

45 12 certified public accountant licensed in this state that is
 45 13 based upon a review performed by the certified public
 45 14 accountant in lieu of the audited financial statement
 45 15 specified in this paragraph. However, at any time the
 45 16 department may require a financial statement that is
 45 17 accompanied by the report of a certified public accountant
 45 18 licensed in this state that is based upon a review performed
 45 19 by a certified public accountant if the department has good
 45 20 cause ~~to believe that the net worth or current asset to~~
 45 21 ~~current liability ratio of a licensee presents a danger to~~
 45 22 ~~producers or sellers with whom the licensee deals.~~ -6eod
 45 23 ~~cause means that the department has evidence that the~~
 45 24 ~~licensee issued checks on insufficient funds, evidence of a~~
 45 25 ~~quality or quantity shortage in a warehouse facility, or~~
 45 26 ~~evidence of violations of recordkeeping requirements.~~

45 27 Sec. 71. NEW SECTION. 543.12A LIEN ON WAREHOUSE OPERATOR
 45 28 ASSETS.

45 29 1. A statutory lien is imposed on all warehouse operator
 45 30 assets in favor of depositors possessing warehouse receipts
 45 31 covering grain stored by the warehouse operator and depositors
 45 32 with written evidence of ownership other than warehouse
 45 33 receipts disclosing a storage obligation of a warehouse
 45 34 operator.

45 35 2. Warehouse operator assets includes proceeds received
 46 1 or due a warehouse operator upon the sale, including exchange,
 46 2 collection, or other disposition, of grain sold by the
 46 3 warehouse operator. As used in this section, proceeds means
 46 4 noncash and cash proceeds as provided in section 554.9306.
 46 5 Warehouse operator assets also includes storage payments
 46 6 received or due to a warehouse operator, grain owned by the
 46 7 warehouse operator, and any other funds or property of the
 46 8 warehouse operator which can be directly traced as being from
 46 9 the sale of grain by the warehouse operator, or which were
 46 10 utilized in the business operation of the warehouse operator.
 46 11 A court, upon petition by an affected party, may order that
 46 12 claimed warehouse operator assets are not warehouse operator

CODE: Creates a statutory lien imposed on the assets of warehouse operators. To perfect the lien, the Iowa Grain Indemnity Fund Board must file a lien statement with the Secretary of State. The lien of all sellers is assigned to the Board on behalf of the Grain Depositors and Sellers Indemnity Fund. The lien statement is valid only if filed on or after the suspension of the license of the warehouse operator. Upon written demand of the grain dealer, the Board will file a termination statement with the Secretary of State if the warehouse operator is not revoked, terminated, or cancelled after 180 days from the date that the lien is perfected.

46 13 assets as defined in this section. The burden of proof shall
46 14 be upon the petitioner to establish that the assets are not
46 15 warehouse operator assets as defined in this section.

46 16 3. The lien shall arise at the commencement of the storage
46 17 obligation, and shall terminate when the liability of the
46 18 warehouse operator to the depositor has been discharged. The
46 19 lien of all depositors is hereby assigned to the Iowa grain
46 20 indemnity fund board, on behalf of the grain depositors and
46 21 sellers indemnity fund.

46 22 4. To perfect the lien, the Iowa grain indemnity fund
46 23 board must file a lien statement with the office of the
46 24 secretary of state. The lien statement is valid only if filed
46 25 on or after the date of suspension but not later than sixty
46 26 days after the incurrence date as provided in section 543A.6.
46 27 The lien statement shall disclose the name of the warehouse
46 28 operator, the address of the warehouse operator's principal
46 29 place of business, a description of identifiable warehouse
46 30 operator assets, and the amount of the lien. The lien amount
46 31 shall be the board's estimate of the final cost of reimbursing
46 32 the grain depositors and sellers indemnity fund for the
46 33 payment of claims made against the fund resulting from the
46 34 breach of the warehouse operator's obligations. The board
46 35 shall correct the amount not later than one hundred eighty
47 1 days following the incurrence date. A court, upon petition by
47 2 an affected person, may correct the amount. The board shall
47 3 have the burden of proving that the amount is an accurate
47 4 estimate.

47 5 5. The Iowa grain indemnity fund board shall upon written
47 6 demand of the warehouse operator file a termination statement
47 7 with the secretary of state, if the license of the warehouse
47 8 operator is not revoked, terminated, or canceled after one
47 9 hundred eighty days from the date that the lien is perfected.
47 10 Upon filing the termination statement, **the lien** becomes
47 11 unperfected. The board shall also deliver a copy of the
47 12 termination statement to the warehouse operator.

47 13 6. The secretary of state shall note the filing of a lien
47 14 statement under this section in a manner provided by chapter

47 15 554, the uniform commercial code. The secretary shall note
 47 16 the filing of a termination statement with the lien statement.
 47 17 7. A lien statement filed under this section shall be a
 47 18 security interest perfected under chapter 554 and subject to
 47 19 the same priority as provided under section 554.9312.

47 20 8. In the event the department is appointed as a receiver
 47 21 under section 543.3, assets under the authority of the
 47 22 receiver are free from this statutory lien. However, if there
 47 23 are receivership assets in excess of those necessary to fully
 47 24 reimburse depositors, the perfected lien will attach to those
 47 25 excess assets.

47 26 9. The Iowa grain Indemnity fund board may enforce the
 47 27 lien in the manner provided in chapter 554, article 9, part 5,
 47 28 for the enforcement of security interests. If, upon
 47 29 enforcement of the lien, the lien amount is satisfied in full
 47 30 without exhaustion of the warehouse operator assets, the
 47 31 remaining assets shall be returned to the warehouse operator
 47 32 or, if there are competing claims to those remaining assets by
 47 33 other creditors, those assets shall be placed in the custody
 47 34 of the district court and the known creditors impleaded.

47 35 For purposes of enforcement of the lien, the board is
 48 1 deemed to be the secured party and the warehouse operator is
 48 2 deemed to be the debtor, and each has the respective rights
 48 3 and duties of a secured party and a debtor as provided in
 48 4 chapter 554, article 9, part 5. If a right or duty under
 48 5 chapter 554, article 9, part 5, is contingent upon the
 48 6 existence of express language in a security agreement, or may
 48 7 be waived by express language in a security agreement, the
 48 8 requisite language is deemed not to exist for purposes of
 48 9 enforcement of the lien created by this section.

48 10 10. Actions relating to this section shall be brought in
 48 11 the district court in the county in which the warehouse
 48 12 operator's primary place of business is located or in Polk
 48 13 county.

48 14 Sec. 72. Section 543.17, Code 1991, is amended by adding
 48 15 the following new subsection:

CODE: Provides that a warehouse operator not having sufficient quantity or quality of grain to satisfy

..

48 16 NEW SUBSECTION. 6A. A licensed warehouse operator who
 48 17 does not have a sufficient quantity or quality of grain to
 48 18 satisfy the warehouse operator's obligations based on an
 48 19 examination by the department shall not purchase grain on
 48 20 credit-sale contract to correct the shortage of grain. A
 48 21 licensed warehouse operator shall not issue a warehouse
 48 22 receipt for purposes of providing collateral, if the grain
 48 23 which is the subject of the warehouse receipt was purchased by
 48 24 credit-sale contract and ~~is~~ unpaid for by the warehouse
 48 25 operator.

the operator's obligations not purchase grain on credit to correct the shortage. Prohibits the operator from issuing a warehouse receipt for purposes of providing collateral if the grain was purchased by credit and unpaid.

48 26 Sec. 73. Section 543.17, subsection 7, Code 1991, is
 48 27 amended to read as follows:

CODE: Divides current Code of Iowa language into a new paragraph relating to violation of the section.

48 28 7. Every licensed warehouse operator shall, on or before
 48 29 July 1 of each year, send a statement for each holder of a
 48 30 warehouse receipt covering grain held for more than one year
 48 31 at that warehouse to the holder's last known address. The
 48 32 statement shall show the amount of all grain held pursuant to
 48 33 warehouse receipt for such warehouse receipt holder and the
 48 34 amount of any storage charges held by the licensed warehouse
 48 35 operator against that grain. However, a licensed warehouse
 49 1 operator need not prepare this annual statement for a holder
 49 2 of a warehouse receipt, if the licensed warehouse operator
 49 3 prepares such statements monthly, quarterly or for any other
 49 4 period more frequent than annually. ~~Failure~~ The failure to
 49 5 prepare a statement required by this subsection is a simple
 49 6 misdemeanor.

49 7 PARAGRAPH DIVIDED. Violation of this section shall not
 49 8 constitute grounds for suspension, revocation, or modification
 49 9 of the license of anyone licensed under this chapter.

49 10 Sec. 74. Section ~~543.33~~, subsection 1, paragraphs a
 49 11 through g, Code 1991, are amended to read as follows:
 49 12 a. If the total storage capacity is one hundred thousand
 49 13 bushels or less, the fee is ~~thirty-five~~ fifty-eight dollars.
 49 14 b. If the total storage capacity is more than one hundred
 49 15 thousand bushels, but not more than seven hundred fifty

CODE: Increases warehouse license fees by approximately 66.0%.

FISCAL EFFECT: The net effect of the increases on the grain dealer license and examination fee increases and the warehouse license fee increases is

49 16 thousand bushels, the fee is ~~seventy-five~~ one hundred twenty-
 49 17 five dollars.
 49 18 c. If the total storage capacity is more than seven
 49 19 hundred fifty thousand bushels, but not more than one million
 49 20 five hundred thousand bushels, the fee is one hundred fifteen
 49 21 ninety-one dollars.
 49 22 d. If the total storage capacity is more than one million
 49 23 five hundred thousand bushels, but not more than three million
 49 24 bushels, the fee is ~~one two~~ hundred ~~fifty~~ forty-nine dollars.
 49 25 e. If the total storage capacity is more than three
 49 26 million bushels, but not more than four million seven hundred
 49 27 fifty thousand bushels, the fee is ~~one three~~ hundred ~~eighty-~~
 49 28 ~~five~~ seven dollars.
 49 29 f. If the total storage capacity is more than four million
 49 30 seven hundred fifty thousand bushels, but not more than nine
 49 31 million five hundred thousand bushels, the fee is ~~two three~~
 49 32 hundred ~~twenty-five~~ seventy-four dollars.
 49 33 g. If the total storage capacity is more than nine million
 49 34 five hundred thousand bushels, the fee is two ~~four~~ hundred
 49 35 ~~sixty-five~~ forty dollars.

an increase to the General Fund of approximately \$250,000. These increases, along with a reduction of \$100,000 in the appropriation, makes the Grain Warehouse Bureau approximately 85.0% self-supporting.

50 1 Sec. 75. Section 543.36, subsection 4, Code 1991, is
 50 2 amended to read as follows:
 50 3 4. A person in violation of this chapter, or a in
 50 4 violation of chapter 714 or 715A involving, which violation
 50 5 involves the business of a warehouse operator, is subject to
 50 6 prosecution by the county attorney in the county where the
 50 7 business is located. However, if the county attorney fails to
 50 8 initiate prosecution within thirty days, and upon request by
 50 9 the department, the attorney general may initiate and carry
 50 10 out the prosecution in cooperation, if possible, with the
 50 11 county attorney. The person in violation may be restrained by
 50 12 injunction in an action brought by the department or the
 50 13 attorney general upon request by the department.

CODE: Provides if the county attorney fails to initiate prosecution within 30 days for violations of Chapters 543, 714, or 715A, Code of Iowa, that the Attorney General may prosecute upon request by the DALS.

50 14 Sec. 76. Section 543.37, Code 1991, is amended to read as
 50 15 follows:

CODE: Requires warehouse operator licenses to expire 3 months following the end of the fiscal year of the

PG LN	Senate File 2347	Explanation
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50 16 543.37 FAILURE TO PAY FEE.
 50 17 Failure to pay the ~~annual license~~ fee provided for in
 50 18 section 543.33 on or before ~~June 30 of the year for which due~~
 50 19 the end of the third calendar month following the close of the
 50 20 licensee's fiscal year shall cause a license to terminate. A
 50 21 warehouse license which has terminated may be reinstated by
 50 22 the department upon receipt of a proper renewal application, .
 50 23 the renewal fee, and the reinstatement fee as provided for in
 50 24 section 543.33, if filed within thirty days from the date of
 50 25 termination of the warehouse license. The department may
 50 26 cancel the license upon request of the licensee unless a
 50 27 complaint or information is filed against the licensee
 50 28 alleging a violation of a provision of this chapter.

warehouse operator instead of June 30.

50 29 Sec. 77. NEW SECTION. 543.40 PRIORITIZATION OF
 50 30 INSPECTIONS OF WAREHOUSE OPERATORS.
 50 31 The department shall develop a system to prioritize the
 50 32 inspections of warehouse operators provided in section 543.2.
 50 33 The system of prioritization shall be computed each year based
 50 34 on the risk of loss to the grain depositors and sellers
 50 35 indemnity fund caused by the possible insolvency of the
 51 1 warehouse operator. The department shall compute the risk by
 51 2 utilizing an available statistical model to measure the
 51 3 financial condition of warehouse operators. Procedures for
 51 4 utilizing the statistical model shall be adopted by department
 51 5 rules. The statistical model shall be used to provide risk
 51 6 ratings. A risk rating shall be used as a factor by the
 51 7 department to prioritize its Inspection schedule. The
 51 8 department may inspect a warehouse operator at any time based
 51 9 on a risk of loss to the fund according to the risk rating. A
 51 10 substantial risk of loss to the grain depositors and sellers
 51 11 indemnity fund caused by the possible insolvency of the
 51 12 warehouse operator based on the statistical model shall be
 51 13 good cause.

CODE: Requires the DALs to develop a system to prioritize the inspections of warehouse operators based on a statistical model. The model will be used to provide risk ratings which may be used to determine good cause.

51 14 Sec. 78. NEW SECTION. 543A.5A LIEN ON LICENSEE'S ASSETS.
 51 15 The board may enforce a lien attached to assets held by a

CODE: Creates conforming provisions relating to statutory liens and provides for the issuance of

51 16 licensee under chapter 542 or 543. The lien shall be
 51 17 perfected and enforced pursuant to section 542.12A or 543.12A.

certificates by the Secretary of State's Office.

51 18 **Sec. 79.** Section 554.9407, subsection 3, Code 1991, is
 51 19 amended by adding the following new unnumbered paragraph:
 51 20 NEW UNNUMBERED PARAGRAPH. Upon written request, the filing
 51 21 officer shall issue a certificate showing whether there is on
 51 22 file on the date and hour stated, an effective financing
 51 23 statement, lien statement, or termination statement under
 51 24 chapter 542 or 543 naming a grain dealer or warehouse operator
 51 25 as a debtor, the address of the grain dealer's or warehouse
 51 26 operator's principal place of business, and the grain
 51 27 indemnity fund board as secured creditor, identifiable grain
 51 28 proceeds subject to the lien, and the amount of the lien. The
 51 29 uniform fee for a certificate is five dollars if the request
 51 30 for the certificate is on a form conforming to standards
 51 31 prescribed by the secretary of state, or the fee is six
 51 32 dollars if the request is not on a form conforming to the
 51 33 standards.

CODE: Creates conforming provisions relating to statutory liens and provides for the issuance of certificates by the Secretary of State's Office.

51 34 **Sec. 80** Section 715A.2, subsection 2, paragraph a, Code
 51 35 1991, is amended to read as follows:
 52 1 a. Forgery is a class D felony if the writing is or
 52 2 purports to be part of an issue of money, securities, postage
 52 3 or revenue stamps, or other instruments issued by the
 52 4 government, or part of an issue of stock, bonds, credit-sale
 52 5 contracts as defined in section 542.1, or other instruments
 52 6 representing interests in or claims against any property or
 52 7 enterprise, or a check, draft, or other writing which
 52 8 ostensibly evidences an obligation of the person who has
 52 9 purportedly executed it or authorized its execution.

CODE: Defines credit-sale contracts as writings which when forged are punishable as a Class D felony.

52 10 **Sec. 81.** TRANSITION PERIOD. There **shall be** a transition
 52 11 period for implementing and enforcing provisions of this Act
 52 12 relating to any license period as provided in sections 542.5
 52 13 and 543.37 as amended by this Act. Within the transition
 52 14 period, the department of agriculture and land stewardship may

Provides for a transition period for implementing and enforcing provisions relating to the issuance of licenses. The transition period will end on June 30, 1993.

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Explanation

52 15 issue or renew licenses under chapter 542 or 543 for a period
 52 16 less than twelve consecutive months. The department shall
 52 17 prorate the fees charged for issuing or renewing the licenses
 52 18 for a period of less than twelve consecutive months. The
 52 19 transition period shall terminate on June 30, 1993.

52 20 **Sec. 82. DATES OF APPLICABILITY.** The liens established in
 52 21 sections **542.12A** and **543.12A** are applicable and enforceable
 52 22 against all grain dealer and warehouse operator licensees with
 52 23 an incurrence date on or after July 1, 1992.

52 24 **Sec. 83.** 1991 Iowa Acts, chapter 268, sections 212 and
 52 25 213, are repealed.
 52 26 This section, being deemed of immediate importance, takes
 52 27 effect upon enactment.

52 28 **Sec. 84. REPEAL.** Section 542.21, Code 1991, is repealed.

52 29 **Sec. 85.** This Act takes effect on July 1, 1992, except as
 52 30 otherwise provided in specific sections of this Act.
 52 31 SF 2347
 52 32 da/cc/26

Provides that liens established under this Act are applicable against grain dealer and warehouse operators with a license revocation or the filing of bankruptcy on or after July 1, 1992.

CODE: Repeals the early transfer of the annual allocation of Boat and Snowmobile funds to the Fish and Game Protection Fund.

DETAIL: The early FY 1993 transfers were made in the FY 1992 DNR appropriations bill in order to cover the predicted cash flow problem in the Fish and Game Protection Fund. The cash flow problem did not develop.

CODE: Repeals the section prohibiting grain purchases by a custom livestock feeder using a credit-sale contract.

**EXECUTIVE SUMMARY
ECONOMIC DEVELOPMENT APPROPRIATIONS BILL**

HOUSE FILE 2462

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

•All General Fund appropriations in this bill were reduced by 5.0% by SF 2393, the Second Extraordinary Session Bill, except restoration of funding for housing programs, resulting in a total reduction of \$223,000 from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.

**NEW PROGRAMS, SERVICES, QR
ACTIVITIES**

- Requires that the Department of Economic Development (DED) implement a long-term process to provide services utilizing the principles of Total Quality Management. (Page 1, Line 13)
- Provides a \$4.1 million appropriation for the Strategic Investment Fund. Funds and FTE positions from the Community Economic Betterment Account, Microenterprise Fund, and Value-Added Agricultural Products and Processes Financial Assistance Fund are included in the Strategic Investment Fund. The Fund also includes the appropriation balance brought forward from the Business Development Finance Corporation. (Page 2, Line 26)
- Provides a \$200,000 appropriation for capitalization of the Small Business Investment Company. (Page 3, Line 1)
- Provides a \$200,000 appropriation to the DED, from funds collected by the Insurance Division of the Department of Commerce, to be used for insurance economic development and international insurance economic development. (Page 3, Line 10)
- Provides a \$743,000 appropriation and 6.0 FTE positions from the General Fund for the Foreign Trade Offices. (Page 5, Line 15)
- Permits the DED to use no more than \$125,000 of the funds transferred to the DED General Fund Account for a welcome center project based upon the Department's Prioritization Report, dated December 1991. (Page 7, Line 5)
- *Provides a \$500,000 appropriation to the University of Iowa for the Advanced Drug Development Program. (Page 13, Line 20)

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

•Increases the General Fund appropriation for Business Development Operations and Advertising of the DED by \$247,000 compared to the estimated net FY 1992 appropriation. (Page 1, Line 33)

**EXECUTIVE SUMMARY
ECONOMIC DEVELOPMENT APPROPRIATIONS BILL**

HOUSE FILE 2462

- Increases ~~the~~ General Fund appropriation for the Small Business ~~Programs~~ by \$98,000 and 1.0 FTE position compared to the estimated net FY 1992 appropriation. Requires ~~an~~ allocation of \$46,000 for administration of the Targeted Small Business Program and \$50,000 for the Targeted Small Business Pilot Project Incubator. (Page 2, Line 4)
- Eliminates the General Fund appropriation for the Business Assistance Centers, Rural Community 2000 Program, and the Mississippi River Parkway Program. The appropriation for the Mississippi River Parkway Program is reflected in SF 2345 (Transportation and Safety Appropriations Bill).
- Decreases the General Fund appropriation for the Councils of Governments (COGS) by \$100,000 compared ~~to~~ the estimated net FY 1992 appropriation. (Page 5, Line 1)
- Decreases the General Fund appropriation for International Trade Operations by \$153,000 and 1.5 FTE positions compared to the estimated net FY 1992 appropriation. Eliminates the transfer of funds to the International Development Foundation. (Page 5, Line 8)
- Decreases the General Fund appropriation for Tourism Advertising by \$186,000 compared ~~to~~ the estimated net FY 1992 appropriation. (Page 6, Line 16)
- Decreases the General Fund appropriation for the Youth Work Force Programs by \$210,000 compared to the estimated net FY 1992 appropriation. (Page 7, Line 17)
- Decreases the General Fund appropriation for the Work Force Investment Program by \$459,000 compared to the estimated net FY 1992 appropriation. (Page 7, Line 34)
- Decreases the General Fund appropriation to the Iowa Finance Authority (IFA) for the Housing Improvement Fund by \$1.1 million compared to the estimated net FY 1992 appropriation. (Page 10, Line 21) *This item was vetoed by the Governor.*
- Increases the General Fund appropriation for the Wallace Technology ~~Transfer~~ Foundation (WTTF) by \$358,000 compared to the estimated net FY 1992 appropriation. (Page 10, Line 29)

**EXECUTIVE SUMMARY
ECONOMIC DEVELOPMENT APPROPRIATIONS BILL**

HOUSE FILE 2462

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

STUDIES AND INTENT LANGUAGE

- Increases the General Fund appropriation for International Network on Trade (**INTERNET**) by **\$332,000** and **2.0** FTE positions compared to the estimated net **FY 1992** appropriation. Requires **\$290,000** of the appropriated funds to be allocated to the DED for salaries and support of **5.0** FTE positions of the International Development Foundation, **\$97,000** for the Peace Institute, and **\$97,000** for the Partner State Program. (Page **11**, Line **21**)
- Decreases the General Fund appropriation to Iowa State University (ISU) for the Small Business Development Centers by **\$150,000** compared to the estimated net **FY 1992** appropriation. (Page **12**, Line **19**)
- Increases the General Fund appropriation to **ISU** for the Institute for Physical Research and Technology by **\$3.0** million compared to the estimated net **FY 1992** appropriation. (Page **12**, Line **21**)
- Requires agencies of the State to waive surety or bid bond requirements for targeted small businesses which are able to demonstrate their inability to secure a bond due to inexperience, **lack** of capital, and net worth. (Page **13**, Line **28**)
- *Establishes the Strategic Investment Fund, an Iowa Business Investment **Corporation**, a Small Business Investment Company, and a Regionally **Based** Manufacturing Technology Program. (Page **16**, Line **34**; Page **25**, Line **18**; Page **26**, Line **30**; and Page **28**, Line **34**)
- *Requires the DED to transfer the existing contracts for by-products and waste exchange systems **from** the Regional Economic Development Centers to 1 or **more** community colleges or COGs and permit community colleges to be applicants for competitive grants. (Page **34**, Line **29**)
- Requires the DED to transfer **\$30,000** to the city of West Branch to conduct a study and plan for the development of a welcome and historical center. (Page **6**, Line **30**)
- Requires the WTTF to submit to the Governor and the General Assembly, **an** annual report by **January 15, 1993** detailing performance goals and efforts by the Foundation to improve the modernization of industrial facilities. (Page **10**, Line **29**)

**EXECUTIVE SUMMARY
ECONOMIC DEVELOPMENT APPROPRIATIONS BILL**

HOUSE FILE 2462

GOVERNOR'S VETOES

- The Governor vetoed intent language requiring the DED to allocate \$75,000 to the Adams County Community Economic Development Corporation for evaluating the organizational structure of the County, stating that projects such as this are eligible for funding under the Rural Enterprise Fund. (Page 4, Line 16)
- The Governor vetoed a \$125,000 appropriation from the Job Training Fund for an Apprenticeship Program, stating that it is uncertain whether sufficient funds will be available in the Fund during FY 1993. (Page 9, Line 35)
- The Governor vetoed a \$1.6 million appropriation to the IFA for the Housing Improvement Fund, stating that Iowa was recently awarded \$9.5 million in federal funds which will be used to finance housing projects. (Page 10, Line 21)
- The Governor vetoed intent language requiring the WTTF to allocate \$50,000, as a State match, for beef fat content research and to transfer an additional \$50,000 to the Department of Natural Resources (DNR) for a feasibility study, stating that the WTTF has established a peer review process and funding requests for these projects should be submitted to the WTTF and be subject to the regular review process. (Page 10, Line 29 and Page 11, Line 15)
- The Governor vetoed intent language exempting Emergency Management Coordinators in counties with a population of 25,000 or less from meeting the qualifications of their positions, stating that the exemption could make the counties ineligible to receive federal grants and that existing administrative rules provide for temporary certification while Coordinators receive proper training. (Page 30, Line 15)
- The Governor vetoed intent language permitting community colleges to collect incremental income and property withholding taxes for up to 5 years after the retirement of certificates under the Industrial New Jobs Training Program (280B), stating that the language goes beyond the original intent of the uses for the taxes. (Page 32, Line 21)
- The Governor vetoed intent language requiring the Department of Transportation (DOT) to maintain maintenance facilities within the boundaries of every county with a population in excess of 8,000 in which the DOT maintained a maintenance facility as of January 1, 1988, stating that the language places an inappropriate restriction on the DOT's ability to adjust to changing needs. (Page 32, Line 30)

**EXECUTIVE SUMMARY
ECONOMIC DEVELOPMENT APPROPRIATIONS BILL**

HOUSE FILE 2462

- The Governor vetoed intent language permitting applicants applying for annexation of territory to amend their applications, stating that current policy of the city development boards allows an applicant to correct a minor technical defect or omission in a filed application. (Page 33, Line 17)

House File 2462

House File 2462 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
2	22	1.2(c)	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
2	32	1.2(d)	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
3	33	1.3(b)	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
4	23	1.3(c)	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
7	5	1.5(c)	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
7	23	1.6(a)	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
8	14	1.6(c)	Nwthstnd	Sec. 8.33	Non-Reversion of Fund
8	33	1.6(d)	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
9	7	2	Nwthstnd	Sec. 28.120(5, 6, & 7) and Sec. 15.287	Allocation of ICDL Funds
9	21	3	Nwthstnd	Sec. 15.251(2)	Appropriation of Funds
13	14	8.2	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
13	28	10	Amends	Sec. 12.44	Waiver of Surety Requirements
14	12	11	Adds	Sec. 15.108	Planning & Research
				Code Supplement 1991	
15	2	12	Amends	Sec. 15.241(1 & 2)	Establishes a Loan Program
15	27	13	Adds	Sec. 15.241	Interest Payments
15	32	14	Amends	Sec. 15.247(2 & 3)	Targeted Small Business
16	29	15	Adds	Sec. 15.247(6)	Interest Payments
16	34	16	Adds	Sec. 15.311	Strategic Investment Fund
17	2	17	Adds	Sec. 15.312	Funding Mechanism
17	7	18	Adds	Sec. 15.313(1)	Strategic Investment Fund
17	29	18	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
17	33	18	Adds	Sec. 15.313(2)	Assets of the Fund
18	20	18	Adds	Sec. 15.313(3)	Reporting Requirements
19	6	19	Adds	Sec. 15.315	Community Economic Betterment
19	10	20	Adds	Sec. 15.316	Community Economic Betterment
19	16	21	Adds	Sec. 15.317(1)	Community Economic Betterment
19	32	21	Adds	Sec. 15.317(2)	Political Subdivision
20	2	21	Adds	Sec. 15.317(3)	Allocation Restrictions
20	5	22	Adds	Sec. 15.318	Rating Factors & Criteria
22	10	23	Adds	Sec. 15.319	Monitoring Job Creation

Page #	Line #	Bill Section	Action	Code Section Changed	Description
22	32	24	Adds	Sec. 15.320(1)	Community Economic Betterment
23	6	24	Adds	Sec. 15.320(2)	Community Economic Betterment
23	9	25	Amends	Sec. 28.111(3)	Agricultural Advisory Council
23	24	26	Amends	Sec. 28.112(1)	Value-Added Agriculture
				Code Supplement 1991	
24	6	26	Amends	Sec. 28.112(2)	Value-Added Agriculture
				Code Supplement 1991	
24	18	26	Amends	Sec. 28.112(3)	Value-Added Agriculture
				Code Supplement 1991	
24	23	27	Amends	Sec. 28.148	Business Development Corp.
25	5	28	Adds	Sec. 28.156(6)	Manufacturing Tech. Program
25	14	29	Adds	Sec. 28.158(1)(g)	Manufacturing Tech. Program
25	18	30	Adds	Sec. 28.162(1)	Business Investment Corp.
25	27	30	Adds	Sec. 28.162(2)	Business Investment Corp.
26	5	31	Adds	Sec. 28.163	Board of Directors
26	30	32	Adds	Sec. 28.164	Small Investment Company
28	5	33	Adds	Sec. 28.165	Manufacturing Tech. Program
28	34	34	Adds	Sec. 28.166	Manufacturing Tech. Program
30	15	35	Amends	Sec. 29C.9(7 & 8), as Amended by SF 390	Commission Responsibilities
				1992 Iowa Acts	
31	22	36	Amends	Sec. 73.18	Solicitation of Bids
				Code Supplement 1991	
32	17	37	Repeals	Sec. 99E.31(2)	Iowa Plan Appropriation
32	19	38	Repeals	Sec. 99E.32(2)	Iowa Plan Appropriation
				Code Supplement 1991	
32	21	39	Adds	Sec. 280B.6(7)	Retirement of Certificates
32	30	40	Adds	Sec. 307.41	DOT Maintenance Facilities
32	35	41	Amends	Sec. 321.19(2)	Urban Transit System
33	15	42	Repeals	Sec. 321.22(4)	Urban and Regional Transit
33	17	43	Amends	Sec. 368.7(2 & 3), as Amended by SF 2290	Voluntary Annexation
				1992 Iowa Acts	
34	29	44	Amends	Sec. 455B.310(2)(b)(1)	Tonnage Fees Imposed on Waste
				Code Supplement 1991	
35	20	45	Amends	Sec. 455D.16	Packaging and Recycling
35	34	46	Amends	Sec. 490.1422(1)	Iowa Business Corporation Act
36	5	47	Amends	Sec. 508.10	Foreign Insurance Companies
36	13	48	Adds	Sec. 634.27	Public Grants

Page #	Line #	Bill Section	Action	Code Section Changed	Description
36	21	49	Nwthstnd	Sec. 15.313	Strategic Investment Fund
36	32	51	Repeals	Sec. 15.301 - 15.307	Elimination of Programs

1 1 Section 1. There is appropriated from the general fund of
 1 2 the state to the department of economic development for the
 1 3 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 1 4 the following amounts, or so much thereof as is necessary, to
 1 5 be used for the purposes designated:

1 6 1. ADMINISTRATIVE SERVICES DIVISION

1 7 a. General administration

1 8 For salaries, support, maintenance, miscellaneous purposes,
 1 9 to implement total quality management, and for not more than
 1 10 the following full-time equivalent positions:

1 11	\$	789,000
1 12	FTEs	21.00

1 13 The department shall plan for and initiate a long-term
 1 14 process for the continuous improvement of the services
 1 15 provided to the citizens of Iowa using the principles of total
 1 16 quality management.

1 17 b. Information management center

1 18 For salaries, support, maintenance, miscellaneous purposes,
 1 19 and for not more than the following full-time equivalent
 1 20 positions:

1 21	\$	361,000
1 22	FTEs	6.50

1 23 c. Film office

1 24 For salaries, support, maintenance, miscellaneous purposes,
 1 25 for not more than the following full-time equivalent
 1 26 positions, and for utilizing \$20,000 or so much thereof as is
 1 27 necessary, to promote the film Gentle Giants, Windows to our
 1 28 Heritage regarding the impact of the Iowa draft horse in
 1 29 making Iowa the greatest food producing state in the world:

General Fund appropriation for General Administration of the Department of Economic Development (DED).

DETAIL: This is a decrease of \$47,014 and 1.00 FTE position compared to the estimated net FY 1992 appropriation.

Requires that the DED plan and initiate a long-term process for continuous improvement of services to Iowans by implementing the principles of Total Quality Management.

General Fund appropriation for the Information Management Center of the DED.

DETAIL: This is an increase of \$32,399 and no change in FTE positions compared to the estimated net FY 1992 appropriation. The increase is due to functions from General Operations being relocated to the Information Management Center.

General Fund appropriation for the Film Office of the DED. Maintains current level of service. Provides that \$20,000 of the funds appropriated, or *so* much as necessary, be used to promote the film Gentle Giants-Windows to Our Heritage.

DETAIL: This is an increase of \$696 and no change in

PG LN	House File 2462	Explanation
1 30	\$ 182,000	FTE positions compared to the estimated net FY 1992 appropriation.
1 31	FTEs 2.00	
1 32	2. BUSINESS DEVELOPMENT DIVISION	
1 33	a. Business development operations	General Fund appropriation for Business Development Operations of the DED.
1 34	For salaries, support, maintenance, miscellaneous purposes,	
1 35	and for not more than the following full-time equivalent	
2 1	positions:	
2 2	\$ 2,525,000	DETAIL: This is an increase of \$246,558 and a decrease of 1.00 FTE position compared to the estimated net FY 1992 appropriation. The increase is due to increasing funds for marketing advertising and administrative support. The decrease in staff is due to maintaining the Reduction In Force (RIF) Plan.
2 3	FTEs 15.00	
2 4	b. Small business programs	General Fund appropriation for the Small Business Program, Small Business Advisory Council, Targeted Small Business Program, and a Targeted Small Business Incubator.
2 5	For salaries, support, maintenance, miscellaneous purposes,	
2 6	and for not more than the following full-time equivalent	
2 7	positions for the small business program, the small business	
2 8	advisory council, targeted small business program, and	
2 9	business incubators, of which \$46,424 shall be allocated for	
2 10	the administration of the targeted small business program and	
2 11	\$50,000 shall be used to fund, with local matching funds, a	
2 12	targeted small business incubator in each county with a	
2 13	population greater than two hundred fifty thousand:	
2 14	\$ 323,000	DETAIL: This is an increase of \$97,589 and 1.00 FTE position compared to the estimated net FY 1992 appropriation. The increase is due to the appropriations for the Targeted Small Business Program and a Targeted Small Business Incubator being combined with the Small Business Program.
2 15	FTEs 5.50	Requires that \$46,424 be allocated for administration of the Targeted Small Business Program and \$50,000 be allocated to fund, with local matching funds, a Targeted Small Business Incubator in counties with populations greater than 250,000.
2 16	c. Federal procurement office	General Fund appropriation for the Federal Procurement Office of the DED.
2 17	For salaries, support, maintenance, miscellaneous purposes,	
2 18	and for not more than the following full-time equivalent	
2 19	positions:	DETAIL: This is an increase of \$1,058 and no change

2 20 \$ 96,953
 2 21 FTEs 3.00

in FTE positions compared to the estimated net FY 1992 appropriation.

2 22 Notwithstanding section 8.33, moneys remaining unencumbered
 2 23 or unobligated on June 30, 1993, shall not revert and shall be
 2 24 available for expenditure during the fiscal year beginning
 2 25 July 1, 1993, for the same purposes.

CODE: Requires that funds remaining unencumbered at the end of FY 1993 for the Federal Procurement Office not revert, but be available for expenditure in FY 1994.

2 26 d. Strategic investment fund
 2 27 For deposit in the strategic investment fund for salaries,
 2 28 support, and for not more than the following full-time
 2 29 equivalent positions:

General Fund appropriation for the Strategic Investment Fund of the DED.

2 30 \$ 4,075,733
 2 31 FTEs 10.00

DETAIL: The funds and FTE positions from the Community Economic Betterment Program and the Microenterprise Fund have been transferred to the Strategic Investment Fund.

2 32 Notwithstanding section 8.33, moneys in the strategic
 2 33 investment fund at the end of each fiscal year shall not
 2 34 revert to the general fund but shall remain in the strategic
 2 35 investment fund.

CODE: Requires that funds remaining in the Strategic Investment Fund at the end of FY 1992 not revert to the General Fund, but remain in the Fund.

3 1 e. Small business investment company capitalization
 3 2 For transfer to the treasurer of state for the purpose of
 3 3 facilitating the organization and private capitalization of
 3 4 the small business investment company under sections 28.162
 3 5 through 28.164. If the small business investment company for
 3 6 which the funds are to be used is not organized within
 3 7 eighteen months of the effective date of this Act, unused
 3 8 funds shall revert to the general fund of the state:
 3 9 \$ 200,000

General Fund appropriation for the Small Business Investment Company (SBIC).

Provides for the transfer of \$200,000 to the Treasurer for facilitating the organization and private capitalization of the SBIC and requires that, if the SBIC is not established within 18 months of the effective date of this Act, the unused funds revert to the General Fund.

NOTE: The SBIC Act of 1958 authorized the federal Small Business Administration (SBA) to license SBICs for the purpose of providing financing and management assistance to small entrepreneurial businesses. SBICs raise private capital which is supplemented

3 10 f. Insurance economic development
 3 11 There is appropriated from moneys collected by the division
 3 12 of insurance in excess of the anticipated gross revenues under
 3 13 section 505.7, subsection 3, to the department for the fiscal
 3 14 year beginning July 1, 1992, and ending June 30, 1993, the
 3 15 following amount, or so much thereof as is necessary, to be
 3 16 used for insurance economic development and international
 3 17 insurance economic development:
 3 18 \$ 200,000

through long term debt guaranteed by the SBA.

Insurance Receipts appropriation to the DED for insurance economic development and international insurance economic development.

Funds collected by the Insurance Division of the Department of Commerce, in excess of the anticipated gross revenues pursuant to Section 505.7(3), Code of Iowa, will be allocated to the DED.

3 19 3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

3 20 a. Community assistance
 3 21 For salaries, support, maintenance, miscellaneous purposes,
 3 22 and for not more than the following full-time equivalent
 3 23 positions for administration of the community economic
 3 24 preparedness program, the Iowa community betterment program,
 3 25 and the city development board:
 3 26 \$ 500,000
 3 27 FTEs 7.50

General Fund appropriation for Community Progress Programs of the DED.

DETAIL: This is an increase of \$51,833 and 0.13 FTE position compared to the estimated net FY 1992 appropriation. The increase is due to restoring funds for support.

3 28 b. Main street/rural main street program
 3 29 For salaries and support for not more than the following
 3 30 full-time equivalent positions:
 3 31 \$ 353,386
 3 32 FTEs 3.00

General Fund appropriation for the Main Street/Rural Main Street Program of the DED.

DETAIL: This is an increase of \$3,368 and no change in FTE positions compared to the estimated net FY 1992 appropriation. The increase is due to increasing funds for support.

3 33 Notwithstanding section 8.33, moneys committed to grantees
 3 34 under contract from the general fund or through transfers from
 3 35 the Iowa community development loan fund that remain
 4 1 unexpended on June 30 of any fiscal year shall not revert to
 4 2 any fund but shall be available for expenditure for purposes
 4 3 of the contract during the succeeding fiscal year.

CODE: Requires that funds committed to grants under contract not revert, but be available to fulfill the purposes of the contract during the next fiscal year.

4 4 c. Rural development program
 4 5 [For allocating \$75,000 to the Adams community economic
 4 6 development corporation and] for salaries, support,
 4 7 maintenance, miscellaneous purposes, for not more than the
 4 8 following full-time equivalent positions for rural resource
 4 9 coordination, rural community leadership, and the rural
 4 10 enterprise fund, out of which the department may set aside a
 4 11 portion of the moneys for one or more pilot efforts supporting
 4 12 cooperative agriculture-related or livestock production
 4 13 projects:
 4 14 \$ 675,000
 4 15 FTEs 3.50

VETOED

General Fund appropriation for the Rural Development Program of the DED.

DETAIL: This is a decrease of \$26,391 and an increase of 1.00 FTE position compared to the estimated net FY 1992 appropriation.

4 16 [The department shall allocate \$75,000 to the Adams
 4 17 community economic development corporation for the purposes of
 4 18 evaluating the organizational structure of the county, the
 4 19 present workload of the county office functions, consolidation
 4 20 of county offices, and exploring state outreach services
 4 21 available for cross-training employees, and that the funds
 4 22 shall not be used by the department for any other purpose.]

VETOED

Requires that \$75,000 of the funds appropriated for the Rural Development Program be allocated to the Adams County Community Economic Development Corporation for evaluating the organizational structure of the County, present workload of staff, consolidation of offices, and exploring outreach services. The funds can only be used for these purposes.

VETOED: The Governor vetoed the allocation of \$75,000 to the Adams County Community Economic Development Corporation stating that projects such as this are eligible for funding under the Rural Enterprise Fund on a competitive grant basis.

4 23 Notwithstanding section 8.33, moneys obligated or committed
 4 24 to grantees under contract from the general fund or through
 4 25 transfers from the Iowa community development loan fund that
 4 26 remain unexpended at the end of the fiscal year shall not
 4 27 revert but shall be available for expenditure for purposes of
 4 28 the contract during succeeding fiscal years.

CODE: Requires that funds committed to grants under contract for the Rural Development Program or transferred from any other fund not revert, but be available for expenditure in future fiscal years.

4 29 d. Community development block grant and HOME

General Fund appropriation for the Community

4 30 For administration and related federal housing and urban
 4 31 development grant administration for salaries, support,
 4 32 maintenance, miscellaneous purposes, and for not more than the
 4 33 following full-time equivalent positions:
 4 34 \$ 375,397
 4 35 FTEs 18.75

Development Block Grant Program of the DED.

DETAIL: This is an increase of \$67,712 and 4.75 FTE positions compared to the estimated net FY 1992 appropriation. The increase is due to improving the State's matching ratio for federal funds and adding FTE positions to administer the new federally funded HOME Program.

5 1 e. Councils of governments
 5 2 To provide to Iowa's councils of governments funds for
 5 3 planning and technical assistance funds to assist local
 5 4 governments to develop community development strategies for
 5 5 addressing long-term and short-term community needs:
 5 6 \$ 187,500

General Fund appropriation for the Councils of Governments (COGs) of the DED.

DETAIL: This is a decrease of \$100,186 compared to the estimated net FY 1992 appropriation.

NOTE: Approximately \$11,719 will be allocated to each of the 16 COGs in the State.

5 7 4. INTERNATIONAL DIVISION

5 8 a. International trade operations
 5 9 For conducting foreign trade missions on behalf of Iowa
 5 10 businesses, salaries, support, maintenance, miscellaneous
 5 11 purposes, and for not more than the following full-time
 5 12 equivalent positions:
 5 13 \$ 375,000
 5 14 FTEs 6.00

General Fund appropriation for International Trade Operations of the DED.

DETAIL: This is a decrease of \$152,502 and 1.50 FTE positions compared to the estimated net FY 1992 appropriation. The decrease is due to eliminating the transfer of funds to the International Development Foundation.

NOTE: In FY 1992, funds were transferred from the International Trade Operations and the International Network on Trade (INTERNET) to fund the Foundation. However, for FY 1993, the Foundation will only receive funds from the INTERNET.

5 15 b. Foreign trade offices
 5 16 For salaries, support, maintenance, miscellaneous purposes,

General Fund appropriation for the Foreign Trade Offices of the DED.

5 17 and for not more than the following full-time equivalent
 5 18 positions:
 5 19 \$ 743,000
 5 20 FTEs 6.00

DETAIL: The appropriation provides funding for the international trade offices. The DED shall determine which trade offices will be funded. Eliminates direct appropriations for the European Trade Office, Asian Trade Office, and the Japan Trade Office.

5 21 c. Export trade assistance program
 5 22 For export trade activities, including a program to
 5 23 encourage and increase participation in trade shows and trade
 5 24 missions by providing financial assistance to businesses for a
 5 25 percentage of their costs of participating in trade shows and
 5 26 trade missions, by providing for the lease/sublease of
 5 27 showcase space in existing world trade centers, by providing
 5 28 temporary office space for foreign buyers, international
 5 29 prospects, and potential reverse investors, and by providing
 5 30 other promotional and assistance activities, provided that the
 5 31 department shall consult with the department of agriculture
 5 32 and land stewardship prior to allocating export trade
 5 33 assistance program moneys, including salaries and support for
 5 34 not more than the following full-time equivalent positions:
 5 35 \$ 334,000
 6 1 FTEs .25

General Fund appropriation for the Export Trade Assistance Program (ETAP) of the DED.

DETAIL: This is an increase of \$2,356 and no change in FTE positions compared to the estimated net FY 1992 appropriation.

Provides that businesses be given financial assistance for a percentage of their costs for participating in trade shows and trade missions; also, provides for leasing and subleasing of showcase space in world trade centers, office space for foreign buyers and reverse investors, and other promotional activities.

Requires the DED to consult with the Department of Agriculture and Land Stewardship (DALs) prior to allocating ETAP funds.

6 2 d. Agricultural product advisory council
 6 3 For support, maintenance, and miscellaneous purposes:
 6 4 \$ 1,400

General Fund appropriation for the Agricultural Products Advisory Council of the DED.

DETAIL: This is a decrease of \$2,436 compared to the estimated net FY 1992 appropriation.

6 5 5. TOURISM DIVISION

6 6 a. Tourism operations ...
 6 7 For utilizing \$41,586, or so much thereof as may be
 6 8 necessary, to be used for the operation of the interstate

General Fund appropriation for Tourism Operations of the DED.

6 9 welcome center system, salaries, support, maintenance,
 6 10 miscellaneous purposes, and for not more than the following
 6 11 full-time equivalent positions, provided that the
 6 12 appropriation shall not be used for advertising placements for
 6 13 in-state and out-of-state tourism marketing:
 6 14 \$ 691,586
 6 15 FTEs 17.77

DETAIL: This is an increase of \$15,031 and 1.80 FTE positions compared to the estimated net FY 1992 appropriation.

Requires an allocation of \$41,586, or as much as necessary, to be used for operation of the Interstate Welcome Center System. Prohibits the DED from using the Tourism Operations funds for in-state and out-of-state tourism advertising.

6 16 b. Tourism advertising
 6 17 For contracting exclusively for tourism advertising for in-
 6 18 state and out-of-state tourism marketing services, tourism
 6 19 promotion programs, electronic media, print media, and printed
 6 20 materials:
 6 21 \$ 2,250,000

General Fund appropriation for Tourism Advertising of the DED.

DETAIL: This is a decrease of \$185,746 compared to the estimated net FY 1992 appropriation. The decrease is due to reducing funds for tourism advertising.

6 22 The department shall not use the moneys appropriated in
 6 23 this paragraph unless the department develops public-private
 6 24 partnerships with Iowa businesses in the tourism industry,
 6 25 Iowa tour groups, Iowa tourism organizations, and political
 6 26 subdivisions in this state to assist in the development of
 6 27 advertising efforts. The department shall, to the fullest
 6 28 extent possible, develop cooperative efforts for advertising
 6 29 with contributions from other sources.

Requires the DED to develop public-private partnerships to assist in the development of marketing efforts and, to the fullest extent possible, match contributions from private sources.

6 30 c. Welcome center program
 6 31 To implement the recommendations of the statewide long-
 6 32 range plan for developing and operating welcome centers
 6 33 throughout the state, for transferring \$30,000 to the city of
 6 34 West Branch for the purpose of conducting a study and for
 6 35 planning for the development of a welcome and historical
 7 1 center, and for a match of \$25,000 if the department uses
 7 2 \$125,000 of other moneys for a welcome center project based on
 7 3 the department's prioritization report, dated December 1991:
 7 4 \$ 263,625

General Fund appropriation for the Welcome Center Program of the DED.

DETAIL: This is a decrease of \$72,009 compared to the estimated net FY 1992 appropriation. The reduction is due to not providing funds for remodeling of existing welcome centers.

Provides for the implementation of the statewide long-range plan for developing and operating welcome

centers throughout the State, the transfer of \$30,000 to the city of West Branch to conduct a study and plan for the development of a welcome and historical center, and the allocation of \$25,000 to match other funds designated by the DED to fund a welcome center project based upon the Department's Prioritization Report.

7 5 Notwithstanding section 8.33, pursuant to 1990 Iowa Acts,
7 6 chapter 1255, section 37, subsection 1, as amended by 1991
7 7 Iowa Acts, chapter 260, section 1001, the department may use
7 8 up to \$125,000 for a welcome center project based upon the
7 9 department's prioritization report, dated December 1991.
7 10 Moneys used for welcome center projects based on the
7 11 department's prioritization report require a dollar-for-dollar
7 12 match. Moneys committed to grantees under contract that
7 13 remain unexpended on June 30 of any fiscal year shall not
7 14 revert to any fund but shall be available for expenditure for
7 15 purposes of the contract during the succeeding fiscal year.

CODE: Permits the DED to use no more than \$125,000 of the funds transferred to the DED General Fund Account for a welcome center project based on the Department's Prioritization Report, dated December 1991.

Requires that funds committed to grants under contract not revert, but be available to fulfill the purposes of the contract during the next fiscal year

7 16 6. WORK FORCE DEVELOPMENT DIVISION

7 17 a. Youth work force programs
7 18 For purposes of the conservation corps, including salary,
7 19 support, maintenance, miscellaneous purposes, and for not more
7 20 than the following full-time equivalent positions:
7 21 \$ 1,000,000
7 22 FTEs 1.90

General Fund appropriation for the Youth Work Force Program of the DED.

DETAIL: This is a decrease of \$209,903 and no change in FTE positions compared to the estimated net FY 1992 appropriation.

7 23 Notwithstanding section 8.33, moneys committed to grantees
7 24 under contract that remain unexpended on June 30 of any fiscal
7 25 year shall not revert to any fund but shall be available for
7 26 expenditure for purposes of the contract during the succeeding
7 27 fiscal year.

CODE: Requires that funds committed to grants under contract not revert, but be available to fulfill the purposes of the contract during the next fiscal year.

7 28 b. Job retraining program
7 29 To the community college job training fund created in

General Fund appropriation for the Job Retraining Program of the DED. Maintains current level of

7 30 section 280C.6, including salaries and support for not more
 7 31 than the following full-time equivalent positions:
 7 32 \$ 932,831
 7 33 FTEs .60

service.

DETAIL: This is an increase of \$13,460 and a decrease of 1.00 FTE position compared to the estimated net FY 1992 appropriation.

7 34 c. Work force investment program
 7 35 For purposes of the work force investment program, for a
 8 1 competitive grant program by the department in consultation
 8 2 with the state job training coordinating council for projects
 8 3 that increase Iowa's pool of available labor via training and
 8 4 support services with priority given to projects which serve
 8 5 displaced homemakers or welfare recipients, including salaries
 8 6 and support for not more than the following full-time
 8 7 equivalent positions:
 8 8 \$ 500,000
 8 9 FTEs .90

General Fund appropriation for the Work Force Investment Program of the DED.

DETAIL: This is a decrease of \$458,955 and no change in FTE positions compared to the estimated net FY 1992 appropriation.

Requires the DED to operate the Program on a competitive grant basis in consultation with the State Job Training Coordinating Council. Requires the DED to give priority to projects which serve welfare recipients and displaced homemakers.

8 10 The department shall ensure that the work force investment
 8 11 program is coordinated with services provided under the
 8 12 federal Job Training Partnership Act and that welfare
 8 13 recipients receive priority for services under both programs.

Requires the DED to coordinate the Work Force Investment Program with services provided under the Job Training Partnership Act and that welfare recipients be given priority under both programs.

8 14 Notwithstanding section 8.33, moneys obligated or committed
 8 15 to grantees under contract that remain unexpended at the end
 8 16 of the fiscal year, shall not revert but shall be available
 8 17 for expenditure for purposes of the contract during succeeding
 8 18 fiscal years.

CODE: Requires that funds committed to grants under contract for the Work Force Investment Program not revert, but be available for expenditure to fulfill the purposes of the contract during succeeding fiscal years.

8 19 d. Labor management councils
 8 20 For salaries, support, maintenance, miscellaneous purposes,
 8 21 and for not more than the following full-time equivalent
 8 22 positions:
 8 23 \$ 195,745
 8 24 FTEs 1.00

General Fund appropriation for the Labor Management Councils of the DED.

DETAIL: This is an increase of \$1,728 and a decrease of 0.05 FTE position compared to the estimated net FY 1992 appropriation.

8 25 The department shall not use moneys appropriated in this
 8 26 paragraph for grants to grantees who do not facilitate the
 8 27 active participation of labor as members of labor management
 8 28 councils or who fail to make a good faith effort to either
 8 29 schedule meetings during nonworking hours or obtain voluntary
 8 30 agreements with employers to allow employees time off to
 8 31 attend labor management council meetings with no loss of pay
 8 32 or other benefits.

Requires grantees to **facilltate** active **participation** of labor as members of the Council and to make efforts to schedule meetings during non-working hours or work with employers to allow time off for employees to attend council meetings without loss of pay or other benefits.

8 33 Notwithstanding section 8.33, moneys committed to grantees
 8 34 under contract that remain unexpended on June 30 of any fiscal
 8 35 year shall not revert to any fund but shall be available for
 9 1 expenditure for purposes of the contract during the succeeding
 9 2 fiscal year.

CODE: Requires that funds committed to grants under contract not revert, but be available to fulfill the purposes of the contract during the next fiscal year.

9 3 7. For transfer to the Iowa product development
 9 4 corporation fund established in section 28.89:
 9 5 \$ 887,500
 9 6 FTEs 5.00

General Fund appropriation for the Iowa Product Development Corporation.

NOTE: Funds for the Iowa Product Development Corporation were transferred from the Wallace Technology Transfer Foundation during FY 1992.

9 7 **Sec. 2. Notwithstanding section 28.120**, subsections 5, 6,
 9 8 and 7, and section 15.287, there is appropriated from the Iowa
 9 9 community development loan fund from the moneys available
 9 10 during the fiscal year beginning July 1, 1992, and ending June
 9 11 30, 1993. to the department of economic development for the
 9 12 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 9 13 \$50,000, or so much thereof as is necessary, to be used for
 9 14 rural development financing; \$20,000 to be transferred to and
 9 15 used by the main street program; with the remainder of the
 9 16 Iowa community development loan fund to be transferred only to
 9 17 the rural development program to be used by the department for
 9 18 the purposes of the program, including pilot efforts
 9 19 supporting cooperative agriculture-related or livestock
 9 20 production projects.

CODE: Appropriates funds from the Iowa Community Development Loan (ICDL) Fund to the DED for FY 1993, \$50,000, or as much as necessary, for the Rural Development Financing Program, and \$20,000 for the Main Street Program. Requires that any remaining ICDL funds be transferred only to the Rural Development Program.

NOTE: The DED estimated that as much as \$456,000 would be collected from ICDL loan repayments during FY 1993. The Legislative Fiscal Bureau's tracking document reflects the estimated figure less the \$20,000 for the Main Street Program.

9 21 Sec. 3. Notwithstanding section 15.251, subsection 2,
 9 22 there is appropriated from the job training fund created in
 9 23 the office of the treasurer of state to the department of
 9 24 economic development for the fiscal year beginning July 1,
 9 25 1992, and ending June 30, 1993, the following amounts, or so
 9 26 much thereof as is necessary, to be used for the purposes
 9 27 designated:

CODE: Job Training Fund appropriation for the administration of the 2808 Program (Industrial New Jobs Training), the Target Alliance Program, and Apprenticeship Programs.

9 28 1. For administration of chapter 2808, including salaries,
 9 29 support, maintenance, miscellaneous purposes, and for not more
 9 30 than the following full-time equivalent positions:

Job Training Fund appropriation to the DED for administration of the 2808 Program.

9 31 \$ 125,000
 9 32 FTEs 2.40

DETAIL: This is the same level of funding and an increase of 0.30 FTE position compared to the estimated net FY 1992 appropriation.

9 33 2. For the target alliance program:
 9 34 \$ 30,000

Job Training Fund appropriation to the DED for the Target Alliance Program. Maintains current level of service.

9 35 [3. For allocation to the community colleges to supplement
 10 1 the coordination and instruction of apprentice related
 10 2 instruction, and instructional equipment for apprenticeship
 10 3 programs as provided in section 280A.44 on the basis of the
 10 4 percentage of total contact hours enrolled in apprenticeship
 10 5 training at community colleges as of July 1, 1992, if funds
 10 6 remain in the job training fund after the appropriations in
 10 7 subsections 1 and 2 are made:

VETOED

Job Training Fund appropriation to community colleges to supplement the coordination and instruction of an Apprenticeship Program, if funds are available after the appropriations for administration of the 2808 Program and the Target Alliance Program.

10 8 \$ 125,000]

VETOED: The Governor vetoed this subsection due to the uncertainty of whether sufficient funds would be available in the Job Training Fund during FY 1993.

10 9 Sec. 4. There is appropriated from the community college
 10 10 job training fund created in section 280C.6, subsection 1, to
 10 11 the department of economic development for the fiscal year
 10 12 beginning July 1, 1992, and ending June 30, 1993, the
 10 13 following amount, or so much thereof as is necessary, to be
 10 14 used for the purposes designated:

Job Training Fund appropriation to the DED for administration of the 280C Program (Iowa Small Business New Jobs Training). Maintains current level of service.

10 15 For salaries, support, maintenance, and miscellaneous
 10 16 purposes for the administration of the Iowa small business new

10 17 jobs training Act, and for not more than the following full-
 10 18 time equivalent positions:
 10 19 \$ 38,954
 10 20 FTEs .70

10 21 [Sec. 5. There is appropriated from the general fund of the **VETOED**
 10 22 state to the Iowa finance authority for the fiscal year
 10 23 beginning July 1, 1992, and ending June 30, 1993, the
 10 24 following amount, or so much thereof as is necessary, to be
 10 25 used for the purpose designated:
 10 26 For deposit in the housing improvement fund created in
 10 27 section 220.100 for purposes of the fund:
 10 28 \$ 1,623,550]

General Fund appropriation to the Iowa Finance Authority (IFA) for the Housing Improvement Fund.

DETAIL: This is a decrease of \$1,061,526 compared to the estimated net FY 1992 appropriation. The decrease is due to the anticipation of additional federal funds for housing projects, once the new federally funded HOME Program is in place.

VETOED: The Governor vetoed this section, stating that Iowa recently received an award of \$9.5 million from the federal National Affordable Housing Act which will provide new funding for housing programs.

10 29 Sec. 6. There is appropriated from the general fund of the
 10 30 state to the Wallace technology transfer foundation for the
 10 31 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 10 32 the following amounts, or so much thereof as is necessary, to
 10 33 be used for the purposes designated:
 10 34 For salaries, support, maintenance, and other operational
 10 35 purposes, [for providing a state match of \$50,000 for present **VETOED**
 11 1 and future federal funding for the subcontractor of an
 11 2 existing federal grant for beef fat content research
 11 3 administered through the United States department of
 11 4 agriculture and the cooperative state research service,] for
 11 5 approving and submitting to the governor and general assembly
 11 6 not later than January 15 an annual report relating to
 11 7 performance goals of and efforts by the foundation to improve
 11 8 the modernization of industrial facilities, for funding the
 11 9 small business innovation research program, for funding ..
 11 10 activities as provided in section 28.158, and for transferring
 11 11 \$75,000 of the funds appropriated in this subsection to the

General Fund appropriation to the Wallace Technology Transfer Foundation (WTTF).

DETAIL: This is an increase of \$357,723 and 2.00 FTE positions compared to the estimated net FY 1992 appropriation.

Provides for the allocation of \$50,000, as a State match, for present and future federal funding of an existing federal grant for beef fat content research which is administered through the United States Department of Agriculture and the Cooperative State Research Service.

VETOED: The Governor vetoed the allocation of \$50,000, as a State match, for beef fat content research stating that the WTTF has established a peer review process and funding requests for this project

11 12 Iowa quality coalition for productivity enhancement projects:
 11 13 \$ 2,900,000
 11 14 FTEs 6.00

should be submitted to the WTTF and be subjected to the regular review process.

Requires the WTTF to submit to the Governor and the General Assembly an annual report by January 15, 1993. The report should detail performance goals and efforts by the WTTF to improve the modernization of industrial facilities. Provides funding for the Small Business Innovation Research Program and the transfer of \$75,000 to the Iowa Quality Coalition for productivity enhancement projects.

11 15 [The foundation shall transfer \$50,000 to the department of **VETOED**
 11 16 natural resources for the approval of a grant to a waste paper
 11 17 recycling company located in Iowa which recycles waste paper
 11 18 into paperboard products, which grant shall be used to conduct
 11 19 a feasibility study for a new cogeneration plant to be located
 11 20 in Iowa.]

Requires the WTTF to transfer \$50,000 to the Department of Natural Resources for the approval of a grant to a waste paper recycling company located in Iowa. Once the grant is obtained, it will be used to conduct a feasibility study for a new cogeneration plant to be located in Iowa.

VETOED: The Governor vetoed the transfer of \$50,000 to the Department of Natural Resources (DNR) for the approval of a grant to conduct a feasibility study for the establishment of a new cogeneration plant in Iowa, stating that the WTTF has established a peer review process and funding requests for this project should be submitted to the WTTF and be subjected to the regular review process.

11 21 Sec. 7. There is appropriated from the general fund of the
 11 22 state to INTERNET for the fiscal year beginning July 1, 1992,
 11 23 and ending June 30, 1993, the following amount, or so much
 11 24 thereof as is necessary, to be used for the purposes
 11 25 designated:
 11 26 For deposit in the international network on trade fund
 11 27 created by the **INTERNET** board, provided that \$290,250 shall be
 11 28 allocated to the department of economic development for the
 11 29 Iowa international development foundation for the salaries and

General Fund appropriation for the International Network on Trade.

DETAIL: This is an increase of \$331,703 and 2.00 FTE positions compared to the estimated net FY 1992 appropriation. The increase in funding is due to the appropriations for the International Development Foundation, Partner State Program, and the Peace Institute appropriations being combined with

11 30 support for not more than 5.00 full-time equivalent positions
 11 31 for employees of the department of economic development,
 11 32 \$96,750 shall be allocated to the peace institute, and \$96,750
 11 33 shall be allocated for the partner state program and the
 11 34 department may contract with private groups or organizations
 11 35 which are the most appropriate to administer this program, and
 12 1 the groups and organizations participating in the program
 12 2 shall, to the fullest extent possible, provide the funds to
 12 3 match the appropriation made in this section:
 12 4 \$ 828,750
 12 5 FTEs 5.00

INTERNET's appropriation.

Requires \$290,250 of the funds appropriated to be allocated to the DED for salaries and support of 5.00 FTE positions of the International Development Foundation, \$96,750 for the Partner State Program, with private matching fund requirements, and \$96,750 for the Peace Institute.

12 6 INTERNET shall use moneys appropriated in this section,
 12 7 unless otherwise specified, for the purposes set out in
 12 8 chapter 18B.

Requires the INTERNET to use the appropriated funds for international trade as specified in Chapter 18B, Code of Iowa.

12 9 Of the full-time equivalent positions authorized for the
 12 10 Iowa international development foundation, 3.00 full-time
 12 11 equivalent positions shall be devoted to the agribusiness
 12 12 centers in Russia and the Ukraine and shall be effective upon
 12 13 enactment of this Act.

Of the 5.00 FTE positions designated for the International Development Foundation, 3.00 of them will be assigned to the agribusiness centers in Russia and the Ukraine.

12 14 Sec. 8. There is appropriated from the general fund of the
 12 15 state to the Iowa state university of science and technology
 12 16 for the fiscal year beginning July 1, 1992, and ending June
 12 17 30, 1993, the following amounts, or so much thereof as is
 12 18 necessary, to be used for the purposes designated:

General Fund appropriation to Iowa State University (ISU) for the Small Business Development Centers (SBDCs).

12 19 1. For funding the small business development centers:
 12 20 \$ 991,325

DETAIL: This is a decrease of \$149,831 compared to the estimated net FY 1992 appropriation for the SBDCs.

12 21 2. For funding the institute for physical research and
 12 22 technology provided that \$281,360 shall be allocated to the
 12 23 institute for physical research and technology industrial
 12 24 incentive program in accordance with the legislative intent of
 12 25 this section:
 12 26 \$ 3,281,366

General Fund appropriation to ISU for the Institute for Physical Research and Technology (IPRT).

DETAIL: This is an increase of \$2,993,674 compared to the estimated net FY 1992 appropriation for the IPRT.

12 27 It is the intent of the general assembly that the incentive
 12 28 program focus on Iowa industrial sectors and seek
 12 29 contributions and in-kind donations from businesses,
 12 30 industrial foundations, and trade associations and that moneys
 12 31 for the institute for physical research and technology
 12 32 industrial incentive program shall only be allocated for
 12 33 projects which are matched by private sector moneys for
 12 34 directed contract research or for nondirected research. The
 12 35 match required of small businesses as defined in section
 13 1 15.102, subsection 4, for directed contract research or for
 13 2 nondirected research shall be \$1 for each \$3 of state funds.
 13 3 The match required for other businesses for directed contract
 13 4 research or for nondirected research shall be \$1 for each \$1
 13 5 of state funds. The match required of industrial foundations
 13 6 or trade associations shall be \$1 for each \$1 of state funds.

Specifies it is the intent of the General Assembly that the Incentive Program focus on industrial sectors and obtain in-kind contributions from the private sector. Requires that funds allocated for the Incentive Program be used for projects which are matched with private sector moneys for directed and non-directed research. Also specifies the dollar-for-dollar matching requirements for small businesses, other businesses, industrial foundations, or trade associations.

13 7 Iowa state university shall report annually to the joint
 13 8 economic development subcommittee of the senate and house
 13 9 appropriations committees the total amounts of private
 13 10 contributions, the proportion of contributions from small
 13 11 businesses and other businesses, and the proportion for
 13 12 directed contract research and nondirected research of benefit
 13 13 to Iowa businesses and industrial sectors.

Requires ISU to report annually to the Economic Development Appropriations Subcommittee the total amount of private contributions from small businesses and other businesses and the amount of funds allocated for directed and non-directed research.

13 14 Notwithstanding section **8.33**, moneys appropriated for any
 13 15 fiscal year which remain unobligated and unexpended at the end
 13 16 of the fiscal year shall not revert but shall be available for
 13 17 expenditure the following fiscal year and the appropriation
 13 18 for the incentive program for the following year shall be
 13 19 reduced by an equal amount.

CODE: Requires that funds for the IPRT Program remaining unobligated at the end of FY 1993 not revert, but be available for expenditure during the subsequent fiscal year, and that the allocation for the Incentive Program be reduced by an equal amount.

13 20 Sec. 9. There is appropriated from the general fund of the
 13 21 state to the university of Iowa for the fiscal year beginning
 13 22 July 1, 1992, and ending June 30, 1993, the following amount,
 13 23 or *so* much thereof as is necessary, to be used for the purpose
 13 24 designated:

General Fund appropriation to the University of Iowa for the Advanced Drug Development Program at the Oakdale Research Park.

13 25 For funding the advanced drug development program at the

13 26 Oakdale research park:
 13 27 \$ 500,000

13 28 Sec. 10. Section 12.44, unnumbered paragraph 1, Code 1991,
 13 29 is amended to read as follows:
 13 30 Agencies of state government shall be required to waive the
 13 31 requirement of satisfaction, ~~or~~ performance, surety, or bid
 13 32 bonds for targeted small businesses which are able to
 13 33 demonstrate the inability of securing such a bond because of a
 13 34 lack of experience, lack of net worth, or lack of capital.
 13 35 This waiver shall not apply to businesses with a record of
 14 1 repeated failure of substantial performance or material breach
 14 2 of contract in prior circumstances. The waiver shall be
 14 3 applied only to a project or individual transaction amounting
 14 4 to fifty thousand dollars ~~or~~ less, notwithstanding section
 14 5 573.2. In order to qualify, the targeted small business shall
 14 6 provide written evidence to the department of inspections and
 14 7 appeals that the bond would otherwise be denied the business.
 14 8 The granting of the waiver shall in no way relieve the
 14 9 business from its contractual obligations and shall not
 14 10 preclude the state agency from pursuing any remedies under law
 14 11 upon default or breach of contract.

CODE: Requires agencies of the State to waive surety or bid bond requirements for targeted small businesses which are able to demonstrate their inability to secure a bond due to inexperience, lack of capital, or net worth. This waiver will not be applicable to businesses with a record of repeated failures and breach of contracts. To qualify, targeted small businesses must submit written documentation to the Department of Inspections and Appeals. The waiver does not relieve the business from contractual obligations and the State reserves the right to pursue any remedies.

14 12 Sec. 11. Section 15.108, Code Supplement 1991, is amended
 14 13 by adding the following new subsection:
 14 14 NEW SUBSECTION. 10. ECONOMIC DEVELOPMENT PLANNING AND
 14 15 RESEARCH ACTIVITIES. To provide leadership and support for
 14 16 economic and community development activities statewide. To
 14 17 carry out this responsibility, the department may establish a
 14 18 research center for economic development programs and services
 14 19 whose duties may include but are not limited to the following:
 14 20 a, Implementation of a comprehensive statewide economic
 14 21 development planning process and provision of leadership,
 14 22 coordination, and support to regional and local economic and
 14 23 community planning efforts.
 14 24 b. Coordination of the delivery of economic and community
 14 25 development programs with other local, regional, state,

CODE: Provides that the DED can establish a research center to fulfill the obligation of providing leadership and support for economic and community development activities statewide. Specifies the duties and responsibilities of the Center.

14 26 federal, and private sector programs and activities.
 14 27 c. Collection and analysis of data and information,
 14 28 development of databases and performing research to keep
 14 29 abreast of Iowa's present economic base, changing market
 14 30 demands, and emerging trends, including identification of
 14 31 targeted markets and development of marketing strategies.
 14 32 d. Provision of access to databases to facilitate sales
 14 33 and exports by Iowa businesses.
 14 34 e. Establishment of a database of community and economic
 14 35 information to aid local regional and statewide economic
 15 1 development and service delivery efforts.

15 2 Sec. 12. Section 15.241, unnumbered paragraphs 1 and 2,
 15 3 Code 1991, are amended to read as follows:
 15 4 ~~The department shall establish, contingent upon the~~
 15 5 ~~availability of funds authorized for the program, a~~ A self-
 15 6 employment loan program; account is established within the
 15 7 strategic investment fund created in section 15.313 to provide
 15 8 funding for the self-employment loan program which is to be
 15 9 conducted in coordination with the job training partnership
 15 10 program and other programs administered under section 15.108,
 15 11 subsection 6, paragraph c. The department may contract with
 15 12 local community action agencies or other local entities in
 15 13 administering the program, and shall work with the department
 15 14 of employment services and the department of human services in
 15 15 developing the program.

15 16 The self-employment loan program shall administer a low-
 15 17 interest loan program to provide loans to low-income persons
 15 18 for the purpose of establishing or expanding small business
 15 19 ventures. The terms of the loans shall be determined by the
 15 20 department, but shall not be in excess of ~~five~~ ten thousand
 15 21 dollars to any single applicant or at a rate to ~~exceed~~ not exceed five
 15 22 percent simple interest per annum. ~~A self-employment loan~~
 15 23 ~~program revolving loan fund shall be established within the~~
 15 24 ~~department.~~ The department shall maintain records of all
 15 25 loans approved and the effectiveness of those loans in
 15 26 establishing or expanding small business ventures.

CODE: Establishes the Self-Employment Loan Program (SELP) within the Strategic Investment Fund. The following conditions are specified:

1. Requires the SELP to be administered in conjunction with the Job Training Partnership Act Program and other training programs.
2. Permits the DED to contract with local community action agencies or other local entities in administering the SELP.
3. Requires the DED to work with the Departments of Employment Services and Human Services in developing the Program.
4. Requires that a low-interest loan program be administered and provided for low-income persons for the purpose of establishing or expanding those small businesses.
5. Requires the DED to determine the terms and conditions of the loans.
6. Limits the amount of funds which can be borrowed per application to \$10,000 and the maximum interest which can be assessed annually is 5.0%.
7. Requires the DED to maintain records of the Program.

15 27 **Sec. 13.** Section 15.241, Code 1991, is amended by adding
 15 28 the following new unnumbered paragraph:
 15 29 NEW UNNUMBERED PARAGRAPH. Payments of interest, recaptures
 15 30 of awards, and repayments of moneys loaned under this program
 15 31 shall be deposited into the strategic investment fund.

CODE: Requires that payments of interest and repayments of funds loaned under the SELP be deposited into the Strategic Investment Fund.

15 32 **Sec. 14.** Section 15.247, subsections 2 and 3, Code 1991,
 15 33 are amended to read as follows:
 15 34 ~~2. The department shall establish, contingent upon the~~
 15 35 ~~availability of funds authorized for the program, a~~ A
 16 1 targeted small business financial assistance program account
 16 2 is established within the strategic investment fund created in
 16 3 section 15.313, to provide for loans, loan guarantees,
 16 4 revolving loans, loans secured by accounts receivable, or
 16 5 grants to targeted small businesses. A targeted small
 16 6 business in any year shall receive under this program not more
 16 7 than twenty-five thousand dollars in a loan or grant, and not
 16 8 more than forty thousand dollars in a guarantee, or a
 16 9 combination of loans, grants, or guarantees. The program
 16 10 shall provide guarantees not to exceed seventy-five percent
 16 11 for loans made by qualified lenders. The department shall
 16 12 establish a financial assistance reserve account from funds
 16 13 ~~provided for this~~ allocated to the program account, from which
 16 14 any default on a guaranteed loan under this section shall be
 16 15 paid. In administering the program the department shall not
 16 16 guarantee loan values in excess of the amount credited to the
 16 17 reserve account and only moneys set aside in the loan reserve
 16 18 account may be used for the payment of a default.
 16 19 **3.** All moneys designated for the targeted small business
 16 20 financial assistance program shall be credited to the
 16 21 ~~financial assistance reserve program account. The department~~
 16 22 ~~shall also establish an administrative account from which the~~
 16 23 ~~operating costs of the program shall be paid. The department~~
 16 24 ~~may transfer moneys between the reserve and the administrative~~
 16 25 ~~accounts except that not more than twenty-five percent of the~~
 16 26 ~~moneys shall be used to administer the fund.~~ The department

CODE: Establishes a Targeted Small Business Financial Assistance (TSBFA) Program Account within the Strategic Investment Fund. The following conditions are specified:

1. Provides loans, loan guarantees, secured revolving loans, or grants to targeted small businesses.
2. Entitles a targeted small business to receive, during any given year, a maximum of \$25,000 in a loan or grant and no more than \$45,000 in a guarantee or a combination of loans, grants, or guarantees.
3. Requires that guarantees not exceed 75.0% of the loans approved by qualified lenders.
4. Requires the DED to establish a reserve account with TSBFA Program funds to pay for any defaults on guaranteed loans.
5. Restricts the DED from guaranteeing loans in excess of the funds credited to the TSBFA Program reserve account.
6. Requires that funds designated for TSBFA be deposited in the Program account.
7. Requires the DED to determine the actuarially sound reserve requirements.

16 27 shall determine the actuarially sound reserve requirement for
16 28 the amount of guaranteed loans outstanding.

16 29 Sec. 15. Section 15.247, Code 1991, is amended by adding
16 30 the following new subsection:
16 31 NEW SUBSECTION. 6. Payments of interest, recaptures of
16 32 awards, and repayments of moneys loaned under this program
16 33 shall be deposited into the strategic investment fund.

CODE: Requires that payments of interest and repayments of funds loaned under the TSBFA Program be deposited in the Strategic Investment Fund.

16 34 Sec. 16. NEW SECTION. 15.311 STRATEGIC INVESTMENT FUND.
16 35 This part shall be known as the Iowa Strategic Investment
17 1 Fund program.

CODE: Establishes the Iowa Strategic Investment Fund Program.

17 2 Sec. 17. NEW SECTION. 15.312 PURPOSE.
17 3 The purpose of this part shall be to provide a mechanism
17 4 for funding those programs listed in section 15.313,
17 5 subsection 2, in order to more efficiently meet the needs'
17 6 identified within those Individual programs.

CODE: Requires that a mechanism be in place to fund the Community Economic Betterment Program, Value-Added Agricultural Products and Processes Financial Assistance Program, Business Development Finance Corporation, SELP, TSBFA Program, and Comprehensive Management Assistance.

17 7 Sec. 18. NEW SECTION. 15.313 STRATEGIC INVESTMENT FUND.
17 8 1. An Iowa strategic investment fund is created as a
17 9 revolving fund consisting of any money appropriated by the
17 10 general assembly for that purpose and any other moneys
17 11 available to and obtained or accepted by the department from
17 12 the federal government or private sources for placement in the
17 13 fund. The fund shall also include all of the following:
17 14 a. All unencumbered and unobligated funds from the special
17 15 community economic betterment program fund created under 1990
17 16 Iowa Acts, chapter 1262, section 1, subsection 18, remaining
17 17 on June 30, 1992, all repayments of loans or other awards made
17 18 under the community economic betterment account or under the
17 19 community economic betterment program during any fiscal year
17 20 beginning on or after July 1, 1985, and recaptures of awards.
17 21 b. All unencumbered and unobligated funds from the self-
17 22 employment loan program, the targeted small business financial
17 23 assistance program, the microenterprise development revolving

CODE: Defines the Strategic Investment Fund as a revolving fund which includes any funds appropriated for the purpose of the Program accounts in the Fund, any other funds generated from federal and private sources, funds remaining unobligated at the end of FY 1993 from each of the Program accounts within the Fund, and any loan repayments, awards, or recaptures of awards associated with each of the Program accounts.

17 24 fund, financing rural economic development or successor loan
17 25 program, and the value-added agricultural products and
17 26 processes financial assistance fund remaining on June 30,
17 27 1992, and all repayments of loans or other awards or
17 28 recaptures of awards made under these programs.

17 29 Notwithstanding section 8.33, moneys in the strategic
17 30 investment fund at the end of each fiscal year shall not
17 31 revert to any other fund but shall remain in the strategic
17 32 investment fund for expenditure for subsequent fiscal years.

17 33 2. The assets of the fund shall be used by the department
17 34 for the following programs and purposes:
17 35 a. The community economic betterment program created in
18 1 sections 15.315 through 15.320.
18 2 b. The value-added agricultural products and processes
18 3 financial assistance program created in sections 28.111 and
18 4 28.112.
18 5 c. The business development finance corporation created in
18 6 sections 28.131 through 28.149.
18 7 d. The self-employment loan program created in section
18 8 15.241.
18 9 e. The targeted small business financial assistance
18 10 program created in section 15.247.
18 11 f. To provide comprehensive management assistance for
18 12 applicants or recipients of assistance from programs supported
18 13 by the fund.
18 14 g. If funds are available under a federal microloan
18 15 demonstration program, a portion of the moneys in the
18 16 strategic investment fund may be utilized to access those
18 17 federal funds to expand the state's small business financial
18 18 assistance programs including the self-employment loan program
18 19 and the targeted small business financial assistance program.

18 20 3. The director shall submit annually at a regular or
18 21 special meeting preceding the beginning of the fiscal year,
18 22 for approval by the economic development board, the proposed

CODE: Requires that funds remaining unobligated at the end of FY 1993 not revert to any other fund, but remain in the Strategic Investment Fund for expenditures incurred during subsequent fiscal years.

CODE: Requires that the funds in the Strategic Investment Fund be used by the DED to fund the Program accounts specified in Section 18 of this Act. Provides that if funds become available from a federal microloan demonstration program, a portion of the assets of the Strategic Investment Fund can be used to access those funds to expand the State's financial assistance programs, which include the SELP and TSBFA Programs.

CODE: Requires that the Director of the DED adhere to the following requirements and conditions:

18 23 allocation of funds from the strategic investment fund to be
 18 24 made for that fiscal year to the community economic betterment
 18 25 program, the value-added agricultural products and processes
 18 26 financial assistance program, the business development finance
 18 27 corporation, the self-employment loan program, and the
 18 28 targeted small business financial assistance program and for
 18 29 comprehensive management assistance. If funds are available
 18 30 under a federal microloan demonstration program, the director
 18 31 may recommend an allocation for that purpose. The plans may
 18 32 provide for increased or decreased allocations if the demand
 18 33 in a program indicates that the need exceeds the allocation
 18 34 for that program. The director shall report on a monthly
 18 35 basis to the board on the status of the funds and may present
 19 1 proposed revisions for approval by the board in January and
 19 2 April of each year. Unobligated and unencumbered moneys
 19 3 remaining in the strategic investment fund or any of its
 19 4 accounts on June 30 of each year shall be considered part of
 19 5 the fund for purposes of the next year's allocation.

1. Submit to the **DED** Board, prior to the beginning of each fiscal year, a proposed plan for allocating the funds from the Strategic Investment Fund to the various programs specified in Section 18 of this Act.
2. Recommend an allocation from the Strategic Investment Fund to access federal funds if they become available under a federal microloan demonstration program.
3. Include allocation adjustments in the annual plan if the demand for a particular program increases or decreases.
4. Report on a monthly basis to the Board on the status of the funds and any proposed revisions to the Board in January and April of each fiscal year.
5. Any unobligated funds remaining in the Strategic Investment Fund at the end of the fiscal year will be considered part of the Fund for **FY** 1993 allocation.

19 6 Sec. 19. NEW SECTION. 15.315 COMMUNITY ECONOMIC
 19 7 BETTERMENT PROGRAM.

CODE: Specifies the Community Economic Betterment Program.

19 8 This part shall be known as the Community Economic
 19 9 Betterment Program.

19 10 Sec. 20. NEW SECTION. 15.316 PURPOSE.

CODE: Defines the purpose of the Community Economic Betterment Program.

19 11 The purpose of this program is to assist communities and
 19 12 rural areas of the state with their economic development
 19 13 efforts and to increase employment opportunities for lowans by
 19 14 increasing the level of economic activity and development
 19 15 within the state.

19 16 Sec. 21. NEW SECTION. 15.317 PROGRAM.

CODE: Requires that the DED establish a Community Economic Betterment Program and specifies the types of assistance the DED can provide to accomplish the intent of the Community Economic Betterment Program.

19 17 1. The department shall establish a program to effectuate
 19 18 the purposes of this part by providing financial assistance
 19 19 for small business gap financing, new business opportunities,

19 20 and new product and entrepreneurial development. These
 19 21 purposes may be accomplished by providing the following types
 19 22 of assistance:
 19 23 a. A principal buy-down program to reduce the principal of
 19 24 a business loan.
 19 25 b. An interest buy-down program to reduce the interest of
 19 26 a business loan.
 19 27 c. Loans or forgivable loans to aid in economic
 19 28 development.
 19 29 d. Loan guarantees for business loans made by commercial
 19 30 lenders.
 19 31 e. Equity-like investments.

19 32 2. Only a political subdivision of this state may apply to
 19 33 receive funds for any of the purposes specified in subsection
 19 34 1. The political subdivision shall make application to the
 19 35 department specifying the purpose for which the funds will be
 20 1 used.

20 2 3. The department shall not provide more than one million
 20 3 dollars for any project, unless approved by at least two-
 20 4 thirds of the members of the economic development board.

20 5 **Sec. 22. NEW SECTION.** 15.318 RATING FACTORS AND
 20 6 CRITERIA.

20 7 In ranking applications for funds, the department shall
 20 8 consider a variety of factors including, but not limited to,
 20 9 the following:
 20 10 1. The proportion of local match to be provided.
 20 11 2. The proportion of private contributions to be provided,
 20 12 including the involvement of financial institutions.
 20 13 3. The total number of jobs to be created or retained.
 20 14 4. The size of the business receiving assistance. The
 20 15 department shall award more points to small businesses as
 20 16 defined by the United States small business administration
 20 17 than to other businesses.
 20 18 5. The potential for future growth in the industry

CODE: Specifies that only political subdivisions can submit an application to the DED for the purposes specified in Section 21 of this Act.

CODE: Prohibits the DED from providing more than \$1,000,000 for any project unless two-thirds of the members of the Board grant approval.

CODE: Requires the DED to consider the following factors and conditions when ranking applications for funding:

1. The percentage of local match provided.
2. The percentage of private contributions provided.
3. The total number of jobs that will be created.
4. The business size, with more points given to small businesses as defined by the Small Business Administration.
5. The growth potential of the business requesting assistance.
6. The financial need of the business.

20 19 represented by the business being considered for assistance.
 20 20 6. The need of the business for financial assistance from
 20 21 governmental sources. The department shall award more points
 20 22 to a business for which the department determines that
 20 23 governmental assistance is most necessary to the success of a
 20 24 project, than to other businesses.

20 25 7. The quality of the jobs to be created. In rating the
 20 26 quality of the jobs the department shall award more points to
 20 27 those jobs that have a higher wage scale, have a lower
 20 28 turnover rate, are full-time or career-type positions, provide
 20 29 comprehensive health benefits, or have other related factors
 20 30 which could be considered to be higher in quality, than to
 20 31 other jobs. Businesses that have wage scales substantially
 20 32 below that of existing Iowa businesses in that area should be
 20 33 rated as providing the lowest quality of jobs and should
 20 34 therefore be given the lowest ranking for providing such
 20 35 assistance.

21 1 8. The level of need of the political subdivision.

21 2 9. The impact of the proposed project on the economy of
 21 3 the political subdivision.

21 4 10. The impact of the proposed project on other businesses
 21 5 in competition with the business being considered for
 21 6 assistance. The department shall make a good faith effort to
 21 7 identify existing Iowa businesses within an industry in
 23 8 competition with the business being considered for assistance.
 21 9 The department shall make a good faith effort to determine the
 21 10 probability that the proposed financial assistance will
 21 11 displace employees of the existing businesses. In determining
 21 12 the impact on businesses in competition with the business
 21 13 being considered for assistance, jobs created as a result of
 21 14 other jobs being displaced elsewhere in the state shall not be
 21 15 considered direct jobs created.

21 16 11. The impact to the state of the proposed project. In
 21 17 measuring the economic impact the department shall award more
 21 18 points for projects which have greater consistency with the
 21 19 state strategic plan than other projects. Greater consistency
 21 20 may include any or all of the following:

7. The quality of the jobs that will be created.
8. The level of need and the impact of the proposed project on other businesses in competition with the business seeking assistance.
9. The impact that the proposed project will have on the State, with more points given to projects which are consistent with the State's strategic plan.
10. A business which has developed a pattern of violating the law should be given the lowest ranking for providing assistance.
11. The extent to which a business that has merged with an Iowa based firm within 3 years of receiving assistance makes a good faith effort to hire employees of the acquired firm.
12. The extent to which the business seeking assistance employs residents of the State.

1 21 a. A business with a greater percentage of sales out-of-
1 22 state or of Import substitution.

1 23 b. A business with a higher proportion of in-state
1 24 suppliers.

1 25 c. A project which would provide greater diversification
1 26 of the state economy.

1 27 d. A business with fewer in-state competitors.

1 28 e. A potential for future job growth.

1 29 f. A project which is not a retail operation.

1 30 12. If a business has a record of violations of the law
1 31 over a period of time that tends to show a consistent pattern,
1 32 the business shall be given the lowest ranking for providing
1 33 assistance. The department shall make a good faith effort to
1 34 compile this information.

1 35 13. If a business has, within three years of application
2 1 for assistance, acquired or merged with an Iowa corporation or
2 2 company, whether the business has made a good faith effort to
2 3 hire the workers of the acquired or merged company.

2 4 14. Whether a business provides for a preference for
2 5 hiring residents of the state or of the economic development
2 6 area, except for out-of-state employees offered a transfer to
2 7 Iowa or to the economic development area.

2 8 15. Whether all known required environmental permits have
2 9 been issued and regulations met before moneys are released.

12 10 Sec. 23. NEW SECTION. 15.319 MONITORING OF JOB CREATION
12 11 AND RETENTION.

12 12 1. The department shall develop definitions for the terms
12 13 job creation and job retention to measure and identify the
12 14 actual number of permanent, full-time positions which
12 15 businesses actually create or retain and which can be
12 16 documented by comparison of the payroll reports during the
12 17 twenty-four-month period after awards to the businesses are
12 18 made.

12 19 2. The department shall document the actual job creation
12 20 and retention effects of all businesses receiving financial
12 21 assistance from the program in the context of the employer

CODE: Requires that the DED adhere to the following conditions for the purpose of monitoring job creation:

1. Define terms and track the number of full-time positions which are actually created as a result of the financial assistance provided to businesses.
2. Document the effects of the jobs created and retained based upon the employers contribution and payroll reports.
3. Ensure that businesses seeking financial

22 22 contribution and payroll reports filed by the businesses.
 22 23 3. The department shall require businesses which receive
 22 24 assistance from the program to submit historical copies of the
 22 25 employer contributions and payroll reports with the
 22 26 application for funds, require businesses to submit the
 22 27 reports after an award is made on a timely basis, and require
 22 28 businesses to estimate the expected job creation and retention
 22 29 effects for the twelve-month and twenty-four-month periods
 22 30 after an award is made in terms of the number of employees and
 22 31 total wages as documented in the payroll reports.

assistance submit historical payroll data with their applications and estimate the number of jobs to be created and retained.

22 32 Sec. 24. NEW SECTION. 15.320 COMMUNITY ECONOMIC
 22 33 BETTERMENT PROGRAM ACCOUNT.

CODE: Establishes a Community Economic Betterment Program account within the Strategic Investment Fund and specifies the conditions of the account.

22 34 1. A community economic betterment program account is
 22 35 established within the strategic investment fund to be used by
 23 1 the department for the community economic betterment program.
 23 2 The account shall consist of all appropriations, grants, or'
 23 3 gifts received by the department specifically for use under
 23 4 this part and any moneys allocated to the community economic
 23 5 betterment program account from the strategic investment fund.

23 6 2. Payments of interest, repayments of moneys loaned under
 23 7 the community economic betterment program, or recaptures of
 23 8 awards shall be deposited into the strategic investment fund.

CODE: Requires that interest payments, loan repayments, and recaptures of awards be deposited into the Strategic Investment Fund.

23 9 Sec. 25. Section 28.111, subsection 3, unnumbered
 23 10 paragraph 1, Code 1991, is amended to read as follows:
 23 11 The department of economic development may grant financial
 23 12 or technical assistance to a person eligible to receive
 23 13 assistance under this section, upon review and evaluation of
 23 14 the person's application by the agricultural products advisory
 23 15 council as established in section 15.203. ~~The council shall~~
 23 16 ~~make recommendations to approve or disapprove an application~~
 23 17 ~~to the department.~~ The department shall consider the
 23 18 ~~recommendations~~ council's evaluation in granting or denying
 23 19 assistance. The department shall not approve an application
 23 20 for assistance under this section to refinance an existing

CODE: Provides that the DEO can grant financial or technical assistance to eligible persons after reviewing the Agricultural Products Advisory Council evaluation.

23 21 loan; or to finance traditional agricultural operations. An
 23 22 application is eligible for consideration if the application
 23 23 seeks assistance for any of the following purposes:

23 24 Sec. 26. Section 28.112, Code Supplement 1991, is amended
 23 25 to read as follows:
 23 26 28.112 VALUE-ADDED AGRICULTURAL PRODUCTS AND PROCESSES
 23 27 FINANCIAL ASSISTANCE ~~FUND~~ ACCOUNT.

23 28 1. ~~The department may establish a~~ A value-added
 23 29 agricultural products and processes financial assistance fund
 23 30 account is established within the strategic investment fund
 23 31 created in section 15.313. The fund account shall ~~be a~~
 23 32 ~~revolving fund composed~~ consist of any money appropriated by
 23 33 the general assembly for that purpose, moneys allocated to the
 23 34 account from the strategic investment fund, and any other
 23 35 moneys available to and obtained or accepted by the department
 24 1 from the federal government or private sources for placement
 24 2 in the fund account. Except as otherwise provided in
 24 3 subsection 2, the assets of the ~~fund~~ account shall be used by
 24 4 the department only for carrying out the purposes of section
 24 5 28.111.

24 6 2. The department may use moneys in the fund account to do
 24 7 any of the following:
 24 8 a. Contract, sue and ~~be~~ sued, and adopt administrative
 24 9 rules ~~necessary~~ to carry out the provisions of this section
 24 10 and section 28.1 11, but the department shall not in any manner
 24 11 directly or indirectly pledge the credit of the state.
 24 12 b. Authorize payment from the fund account for costs,
 24 13 commissions, attorney fees, and other reasonable expenses
 24 14 related to and necessary for insuring or guaranteeing loans
 24 15 under section 28.1 11, and for the ~~recovery~~ of loan moneys
 24 16 insured or guaranteed or the management of property acquired
 24 17 in connection with such loans.

24 18 3. ~~Section 8.33 shall not apply to moneys in the fund.~~
 24 19 Payments of interest, recaptures of awards, or repayments of

CODE: Establishes a Value-Added Agricultural Products and Processes Financial Assistance Account within the Strategic Investment Fund and the type of funds included in the Account. The funds can only be used for value-added agricultural products, practices, and processes.

CODE: Specifies that the DED can use the funds in the Value-Added Agricultural Products and Processes Financial Assistance Account for the following purposes, subject to restrictions:

1. To fund contracts, litigations, and costs associated with adopting administrative rules. However, the DED cannot directly or indirectly pledge the credit of the State.
2. To pay for costs associated with commissions, attorney fees, and loan guarantees.

CODE: Requires that any interest payments, recaptures of awards, and loan repayments be

PG LN	House File 2462	Explanation
24 20 24 21 24 22	<u>moneys loaned under the value-added agricultural products and processes financial assistance program shall be deposited into the strategic investment fund.</u>	deposited into the Strategic Investment Fund.
24 23 24 24 24 25 24 26 24 27 24 28 24 29 24 30 24 31 24 32 24 33 24 34 24 35 25 1 25 2 25 3 25 4	<p>Sec. 27. Section 28.148, Code 1991, is amended to read as follows:</p> <p>28.148 STATE ASSISTANCE FUND.</p> <p>There is created in the treasurer of state's office a business development finance corporation assistance fund. The fund shall consist of all appropriations, grants, or gifts received by the treasurer specifically for assistance under this division and moneys allocated from the strategic investment fund created in section 15.313. Moneys in this fund are appropriated to the corporation for the purposes stated in this division. Moneys allocated to this fund for purposes of the capital access program and repayments of moneys or recaptures of awards from the capital access program which remain unobligated at the end of a fiscal year may be returned to the strategic investment fund upon approval of the board of directors of the business development finance corporation.</p>	<p>CODE: The Business Development Finance Corporation Assistance Fund includes moneys allocated from the Strategic Investment Fund in addition to other funds. Provides that moneys remaining unobligated at the end of FY 1993 may be transferred to the Strategic Investment Fund if approved by the Board of Directors of the Business Development Finance Corporation.</p>
25 5 25 6 25 7 25 8 25 9 25 10 25 11 25 12 25 13	<p>Sec. 28. Section 28.156, Code 1991, is amended by adding the following new subsection:</p> <p><u>NEW SUBSECTION. 6. Carry out the duties specified in section 28.166. regarding the manufacturing technology program and adopt rules pursuant to chapter 17A for the monitoring and enforcement of contracts awarded to community colleges to carry out the purposes of the program. The foundation may withhold the disbursement of funds for failure to comply with the elements required to be included in the contracts.</u></p>	<p>CODE: Specifies the duties that the Executive Director of the WTTF will assume with respect to the Manufacturing Technology Program. Requires the adoption of administrative rules.</p>
25 14 25 15 25 16 25 17	<p>Sec. 29. Section 28.158, subsection 1, Code 1991, is amended by adding the following new paragraph:</p> <p><u>NEW PARAGRAPH. g. For the manufacturing technology program.</u></p>	<p>CODE: Permits the WTTF to use State funds for the purpose of funding the Manufacturing Technology Program.</p>

25 18 **Sec. 30. NEW SECTION. 28.162 IOWA BUSINESS INVESTMENT**
 25 19 **CORPORATION -- PURPOSE.**

25 20 1. The purpose of this section is to provide for the
 25 21 incorporation under chapter 504A of a nonprofit corporation to
 25 22 organize, capitalize, and fund an Iowa-based small business
 25 23 investment company which shall have the purpose of increasing
 25 24 the availability of funds for investment in and loans to Iowa
 25 25 small businesses on a regional basis. The small business
 25 26 investment company shall be incorporated under the Iowa law.

CODE: Establishes a not-for-profit entity which will increase the availability of funds for investment in and loans to small businesses on a regional basis. The entity must be incorporated under Iowa law.

25 27 2. In addition to the powers granted under chapter 504A,
 25 28 the corporation shall have the power to invest in the small
 25 29 business investment company and to serve as guarantor of the
 25 30 preferred stock of the small business investment company.

CODE: Pursuant to Chapter 504A, Code of Iowa, the not-for-profit corporation will have the power to invest in a small business investment company and serve as a guarantor of the preferred stocks of the small business. Specifies the conditions relating to a guaranty.

25 31 In exchange for the guaranty, the corporation shall receive
 25 32 warrants for a percentage of the preferred stock of the small
 25 33 business investment company. The guaranty shall expire ten
 25 34 years after the guaranty agreement is entered into. The
 25 35 corporation shall only be liable as guarantor in the event
 26 1 that capital replenishment becomes necessary due to federal
 26 2 small business administration requirements or in the event of
 26 3 a capital loss upon liquidation of the small business
 26 4 investment company.

26 5 **Sec. 31. NEW SECTION. 28.163 BOARD OF DIRECTORS OF**
 26 6 **CORPORATION.**

CODE: Requires that the power of the corporation be invested in the Board and specifies who qualifies to serve as board members and related responsibilities.

26 7 1. The powers of the corporation are vested in and shall
 26 8 be exercised by the board of directors. The directors shall
 26 9 serve a term of three years. Each term shall begin and end as
 26 10 provided in section 69.19. No more than a simple majority of
 26 11 the members of the board shall belong to the same political
 26 12 party as provided in section 69.16.

26 13 2. The board shall consist of three members appointed as
 26 14 follows:

26 15 a. One member appointed by the governor or the governor's
 26 16 designee.

26 17 b. One member shall be the treasurer of state or the

26 18 treasurer's designee.

26 19 c. One member shall be a private citizen appointed by the
 26 20 legislative council. This member shall be well qualified and
 26 21 shall have at least five years of experience in a responsible
 26 22 position in a business involved in investing in business
 26 23 concerns.

26 24 3. The board shall annually elect one member as
 26 25 chairperson and one member as secretary. The board may elect
 26 26 other officers of the corporation as necessary.

26 27 4. Each director of the corporation shall take an oath of
 26 28 office which shall be filed in the office of the secretary of
 26 29 state.

26 30 Sec. 32. NEW SECTION. **28.164** SMALL BUSINESS INVESTMENT
 26 31 COMPANY.

26 32 1. The small business investment company organized
 26 33 pursuant to section **28.162** and this section may make
 26 34 investments in the common and preferred stock of and may make
 26 35 loans to or purchase the debt obligations of Iowa small
 27 1 businesses which are unable to raise equity capital or obtain
 27 2 financing from conventional sources. The criteria for
 27 3 investment in or loans to Iowa small businesses by the small
 27 4 business investment company shall include geographic
 27 5 distribution, economic diversity, potential for job creation
 27 6 and retention, and potential for long-term success.

27 7 2. The small business investment company shall comply with
 27 8 the small business investment company licensing requirements
 27 9 of the federal small business administration.

27 10 3. The capital of the small business investment company
 27 11 shall consist of shares sold on a regional basis to banks,
 27 12 insurance companies, finance companies, savings institutions,
 27 13 other corporations, limited liability companies, partnerships,
 27 14 and individuals. For the purposes of section **28.162** the
 27 15 shares acquired by each investor shall be divided equally
 27 16 between common and preferred shares.

27 17 4. Applications to the small business investment company
 27 18 for investments and loans shall originate within the regions

CODE: Permits the Small Business Investment Corporation to invest in the common and preferred stock of Iowa small businesses and to assume debt obligations incurred by small businesses subject to the following criteria:

1. The small business investment company should evaluate the geographic distribution, economic diversity, potential for job creation, and the long-term success of the small businesses.
2. The small business investment company must comply with the federal SBA licensing requirements.
3. The capital of the investment company can be generated from the sale of shares on a regional basis to certain entities
4. The investment company can review applications which originate from regions specified in Sections **28H.1** and **28.164**, Code of Iowa.
5. The operations of the investment company must be privately managed and the manager's experience must be evaluated by the Board.
6. The number of persons serving as Board members can be a minimum of **17** and a maximum of **21**.

27 19 set out in section 28H.1. For the purposes of this section,
 27 20 Boone, Dallas, Jasper, Marion, Polk, Story, and Warren
 27 21 counties shall constitute a region.
 27 22 5. The operations of the small business investment company
 27 23 shall be conducted by a private manager contracted for by the
 27 24 board of directors of the company on the basis of the
 27 25 manager's expertise and record in the making or procuring of
 27 26 investments in and loans to small businesses. The small
 27 27 business investment company shall be operated in accordance
 27 28 with federal small business administration regulations.
 27 29 6. The board of directors of the small business investment
 27 30 company shall consist of not less than seventeen nor more than
 27 31 twenty-one persons who shall be elected by the private
 27 32 shareholders from each of the seventeen regions set out in
 27 33 subsection 4.
 27 34 7. To qualify for the guaranty under section 28.162, the
 27 35 small business investment company shall satisfy the conditions
 28 1 set out in this section and those of the federal small
 28 2 business administration, provided that federal small business
 28 3 administration requirements shall take precedence over the
 28 4 requirements of this section.

28 5 **Sec. 33. NEW SECTION. 28.165 PURPOSE -- INTENT.**
 28 6 The purposes of the manufacturing technology program are:
 28 7 1. To create and stimulate economic opportunity by
 28 8 providing technical assistance to individual industry or to
 28 9 industrial sectors in this state.
 28 10 2. To assist in the identification of opportunities for
 28 11 modernization and increased competitiveness of individual
 28 12 business or industry or industrial sectors.
 28 13 3. To assist individual business and industry or
 28 14 industrial sectors to integrate state-of-the-art technologies
 28 15 and processes.
 28 16 4. To provide specific programs for individual industry or
 28 17 industrial sectors by:
 28 18 a. Developing partnerships and coordination between
 28 19 statewide and regional providers of services for modernization

CODE: Specifies that the purpose of the Manufacturing Technology Program is as follows:

1. To create and stimulate economic opportunity.
2. To assist in the identification of opportunities.
3. To assist individual businesses and industries in state-of-the-art technologies.
4. To provide programs for industrial sectors.
5. To develop partnerships and coordination between statewide and regional providers and establish an industrial outreach program.
6. To collaborate with a network of specialized technology resource sites, facilitate the transfer of university research, and provide

29 21 related to the transfer of funds to the community college, as
29 22 agreed upon by the president of the community college and the
29 23 executive director.

29 24 d. Performance measures for quarterly and annual
29 25 evaluation of the program and activities agreed to in the
29 26 contract. The foundation may withhold the disbursement of
29 27 funds for failure to achieve criteria established in the
29 28 contract.

29 29 e. The duties of the industrial technology outreach
29 30 specialist.

29 31 f. The provision of technical assistance to existing
29 32 individual industry or industrial sectors or nonmanufacturing
29 33 business regarding available technological and management
29 34 innovations to improve products, processes, and management
29 35 systems, including implementation of total quality management
30 1 methods.

30 2 2. The foundation may provide or contract for the delivery
30 3 of technical services to individual industry or industrial
30 4 sectors.

30 5 3. The executive director of the foundation shall issue
30 6 requests for proposals to the community colleges and shall
30 7 select the best proposals after considering, among other
30 8 factors, the geographic distribution of the provision of the
30 9 program services to areas of the state which do not serve a
30 10 city with a population over twenty thousand, the number of
30 11 small and medium-sized industries within the community college
30 12 district, and the level of community college interaction with
30 13 those industries. Community colleges in contiguous regions
30 14 may submit a joint proposal.

30 15 [Sec. 35. Section 29C.9, subsections 7 and 8, Code 1991, as
30 16 amended by 1992 Iowa Acts, Senate File 390, section 10, are
30 17 amended to read as follows:

30 18 7. The commission shall delegate to the emergency
30 19 management coordinator the authority to fulfill the commission
30 20 duties as described in the division's administrative rules.
30 21 Each commission shall appoint a county emergency management

VETOED

CODE: Requires that the Commission assume the following charges:

- 1. Appoint and delegate responsibilities to management emergency coordinators, with the exception of counties having a population of 25,000 or less.

Fiscal Information	Appropriations Summary	Administration	Agriculture and Natural Resources	Economic Development	Education	Health and Human Rights	Human Services	Justice	Regulation	Transportation and Safety
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30 22 coordinator who shall meet the qualifications specified in the
 30 23 administrative rules by the administrator of the emergency
 30 24 management division. However, in counties having a population
 30 25 of twenty-five thousand or less, an emergency management
 30 26 coordinator is not required to meet the qualifications
 30 27 specified by the administrator of the emergency management
 30 28 division. Additional emergency management personnel may be
 30 29 appointed at the discretion of the commission.
 30 30 8. The commission shall develop, adopt, and submit for
 30 31 approval by local governments within the county, a
 30 32 comprehensive county-wide emergency operations plan which
 30 33 meets standards adopted by the division in accordance with
 30 34 chapter 17A. If an approved comprehensive county-wide
 30 35 emergency operations plan has not been prepared according to
 31 1 established standards and the administrator of the emergency
 31 2 management division finds that satisfactory progress is not
 31 3 being made toward the completion of the plan, or if the
 31 4 administrator finds that a local emergency management
 31 5 commission has failed to appoint a qualified emergency
 31 6 management coordinator as provided in this chapter, the
 31 7 administrator shall notify the governing bodies of the
 31 8 counties and cities affected by the failure and the governing
 31 9 bodies shall not appropriate any moneys to the local emergency
 31 10 management fund until the disaster plan is prepared and
 31 11 approved ~~or~~ a qualified emergency management coordinator is
 31 12 appointed. **If the administrator finds that a city or a county**
 31 13 **has appointed an unqualified emergency management coordinator,**
 31 14 **the administrator shall notify the governing body of the city**
 31 15 **or county citing the qualifications which are not met and the**
 31 16 **governing body shall not approve the payment of the salary or**
 31 17 **expenses of the unqualified emergency management coordinator.**
 31 18 However, in counties having a population of twenty-five
 31 19 thousand or less, funding sanctions in this subsection based
 31 20 solely on the qualifications of an emergency management
 31 21 coordinator do not apply.]

31 22 Sec. 36. Section 73.18, Code Supplement 1991, is amended

2. Develop, adopt, and submit a comprehensive county-wide emergency operations plan for approval.

VETOED: The Governor vetoed this section stating that the exemption could make the counties ineligible to receive federal grants under the Emergency Management Assistance Program rules and that the administrative rules have been developed in cooperation with the Iowa Emergency Management Directors' Association and can allow for temporary certification while coordinators receive proper training.

CODE: Requires the director of each agency or

31 23 to read as follows:
 31 24 73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF
 31 25 TARGETED SMALL BUSINESSES.

31 26 The director of each agency or department, ~~the~~
 31 27 administrator of each area education agency, the president of
 31 28 each community college, and the superintendent of each school
 31 29 district releasing a solicitation for bids or request for
 31 30 proposal under the targeted small business procurement goal
 31 31 program shall ~~notify the director of the department of~~
 31 32 ~~economic development~~ consult a directory of certified targeted
 31 33 small businesses produced by the department of economic
 31 34 development that lists all certified targeted small businesses
 31 35 by category of goods or services provided prior to or upon
 32 1 release of the solicitation and shall send a copy of the
 32 2 request for proposal or solicitation to any appropriate
 32 3 targeted small business listed in the directory. The Iowa
 32 4 department of economic development may charge the department,
 32 5 agency, area education agency, community college, or school
 32 6 district a reasonable fee to cover the cost of producing,
 32 7 distributing, and updating the directory. ~~A community~~
 32 8 ~~college, area education agency, or school district shall~~
 32 9 ~~notify the department of education which shall notify the~~
 32 10 ~~department of economic development prior to or upon release of~~
 32 11 ~~the solicitation. The director of the department of economic~~
 32 12 ~~development shall notify the soliciting agency or department,~~
 32 13 ~~or community college, area education agency, or school~~
 32 14 ~~district, of any targeted small businesses which have been~~
 32 15 ~~certified pursuant to section 10A.104, subsection 8, and which~~
 32 16 ~~may be qualified to bid.~~

32 17 Sec. 37. Section 99E.31, subsection 2, Code 1991, is
 32 18 amended by striking the subsection.

32 19 Sec. 38. Section 99E.32, subsection 2, Code Supplement
 32 20 1991, is amended by striking the subsection.

department, administrator of each area education agency, president of each community college, and the superintendent of each school district to use a directory of targeted small businesses produced by the DED when soliciting bids or proposals under the Targeted Small Business Procurement Program and to send a copy of the request for proposal to appropriate targeted small businesses. Permits the DED to assess a fee for the directory.

..

CODE: Eliminates the appropriation of Iowa Plan funds for the Iowa Development Commission from the allotment of funds from the Community Economic Betterment Program Account (CEBA).

CODE: Eliminates the appropriation of Iowa Plan funds for the DED from the allotment of funds from

32 21 [Sec. 39. Section 2808.6, Code 1991, is amended by adding **VETOED**
 32 22 the following new subsection:
 32 23 NEW SUBSECTION. 7. Notwithstanding any other provision of
 32 24 this chapter to the contrary, a community college may use
 32 25 funds available from the retirement of certificates for the
 32 26 purposes of sections 280A.44 and 280A.46 and for economic
 32 27 development purposes. The funds may be used for these
 32 28 purposes for a period of five years following the date a
 32 29 certificate is retired.]

32 30 [Sec. 40. NEW SECTION. 307.41 MAINTENANCE FACILITIES. **VETOED**
 32 31 The department shall maintain maintenance facilities within
 32 32 the boundaries of every county with a population in excess of
 32 33 eight thousand persons in which the department maintains a
 32 34 maintenance facility as of January 1, 1988.]

32 35 Sec. 41. Section 321.19, subsection 2, unnumbered
 33 1 paragraph 2, Code 1991, is amended to read as follows:
 33 2 ~~Any person, firm, corporation, or company operating an~~
 33 3 ~~urban transit system shall pay to the county treasurer~~
 33 4 ~~annually as a registration fee for each bus, car, or vehicle~~
 33 5 ~~used in the transportation of passengers, five dollars, which~~
 33 6 ~~shall be paid into the city general fund. Any urban transit~~
 33 7 ~~company operated by a municipality is not required to pay such~~
 33 8 ~~registration fees.~~ The department, in accordance with
 33 9 subsection 1, shall furnish distinguishing plates for vehicles
 33 10 used by urban transit companies operated by a municipality.

the CEBA.

CODE: Permits community colleges to collect incremental income and property withholding taxes for up to 5 years after the retirement of certificates under the 2808 Program. The funds collected during the 5 year period can be used for apprenticeship programs, program and administrative sharing agreements between community colleges and Regents institutions, and other economic development purposes.

VETOED: The Governor vetoed this section stating that it goes beyond the original intent of the uses for the taxes.

CODE: Requires the Department of Transportation (DOT) to maintain maintenance facilities within boundaries of every county with a population greater than 8,000 in which the DOT maintains a facility as of January 1, 1988.

VETOED: The Governor vetoed this section stating that it places an inappropriate restriction on the DOT's ability to adjust to changing needs.

CODE: Eliminates language requiring operators of urban transit systems to pay the county treasurer an annual registration fee for vehicles used in the transportation of passengers.

33 11 No other provision of law providing for the payment of taxes,
 33 12 registration, or license fees for vehicles shall be applicable
 33 13 to any bus, car, or vehicle for the transportation of
 33 14 passengers owned and operated by any urban transit company.

33 15 Sec. 42. Section 321.22, subsection 4, Code 1991, is
 33 16 amended by striking the subsection.

33 17 [Sec. 43. Section 368.7, unnumbered paragraphs 2 and 3, as **VETOED**
 33 18 amended by 1992 Iowa Acts, Senate File 2290, section 2, is
 33 19 amended to read as follows:
 33 20 An application for annexation of territory not within an
 33 21 urbanized area must be approved by resolution of the council
 33 22 which receives the application. In the discretion of a city
 33 23 council, the resolution may include a provision for a
 33 24 transition for the imposition of taxes as provided in section
 33 25 368.11, subsection 13. Upon receiving approval of the
 33 26 council, the city clerk shall file a copy of the resolution,
 33 27 map, and legal description of the territory involved with the
 33 28 state department of transportation. The city clerk shall also
 33 29 file a copy of the map and resolution with the county recorder
 33 30 and secretary of state. The secretary of state shall not
 33 31 accept and acknowledge a copy of a map and resolution of
 33 32 annexation which would create an island, however, the
 33 33 applicant shall be given an opportunity to amend or correct
 33 34 its application to eliminate any island. The annexation is
 33 35 completed upon acknowledgment by the secretary of state that
 34 1 the secretary of state has received the map and resolution.

CODE: Eliminates the provision relating to the expiration date of bus transit plates and the condition for obtaining new plates or validation stickers.

CODE: Specifies that applications for annexation be approved by resolution of the council. Provides city councils discretion and outlines filing procedures, Prohibits the Secretary of State from accepting documents under certain conditions and requires that applicants be allowed to amend their applications.

Specifies that applications for annexation of territory, in urban areas, be approved by resolution of the council and the board. Requires the board to not approve applications under certain conditions and that applicants be given an opportunity to amend their applications if the board, committee, or Secretary of State determines the application would create an island.

DETAIL: An island exists when the territory which is designated to be annexed completely surrounds an unincorporated land area.

VETOED: The Governor vetoed this section stating that current policy of the city development boards allows an applicant to correct a minor technical defect or omission in a filed application, and that if an application is flawed to the extent that it is in violation of Chapter 368, Code of Iowa, the application should be withdrawn and resubmitted.

34 2 An application for annexation of territory within an
 34 3 urbanized area must be approved both by resolution of the
 34 4 council which receives the application and by the board. The
 34 5 board shall not approve an application which creates an
 34 6 island. If the board, committee, or secretary of state
 34 7 determines that granting an application or petition would
 34 8 create an island, or that the application or petition is in
 34 9 violation of a requirement of this chapter, the applicant or
 34 10 petitioner shall be given reasonable opportunity, after notice
 34 11 thereof from the board, committee, or secretary of state, to
 34 12 amend or otherwise correct such application or petition.
 34 13 Notice of the application shall be mailed by certified mail,
 34 14 by the city to which the annexation is directed, at least ten
 34 15 days prior to any action by the city council on the
 34 16 application to the council of each city whose boundary adjoins
 34 17 the territory or is within two miles of the territory, to the
 34 18 board of supervisors of each county which contains a portion
 34 19 of the territory, and to the regional planning authority of
 34 20 the territory. Notice of the application shall be published
 34 21 in an official county newspaper in each affected county at
 34 22 least ten days prior to any action by the city council on the
 34 23 application. In the discretion of a city council, the
 34 24 resolution may include a provision for a transition for the
 34 25 imposition of taxes as provided in section 368.11, subsection
 34 26 13. The annexation is completed when the board has filed
 34 27 copies of applicable portions of the proceedings as required
 34 28 by section 368.20, subsection 2.]

34 29 Sec. 44. Section 4558.310, subsection 2, paragraph b,
 34 30 subparagraph (1), Code Supplement 1991, is amended to read as
 34 31 follows:

34 32 (1) Ten cents per ton per year is appropriated to the
 34 33 department of natural resources to establish a program to
 34 34 provide competitive grants to regional coordinating councils
 34 35 for projects in regional economic development centers related
 35 1 to a by-products and waste exchange system. Grantees under,
 35 2 this program shall coordinate activities with other available

CODE: Appropriates 10 cents per ton, of the total fee imposed on solid waste, to the Department of Natural Resources (DNR) for establishing a program which will provide competitive grants to Regional Coordinating Councils: The Councils will use the moneys to fund by-product and waste exchange system projects which will be implemented through Regional Economic Development Centers (REDCs).

35 3 state or multistate waste exchanges, including but not limited
 35 4 to the by-products and waste search service at the university
 35 5 of northern Iowa. The department shall consult with the
 35 6 department of economic development and the waste reduction
 35 7 center at the university of northern Iowa in establishing
 35 8 criteria for and the awarding of grants under this program.
 35 9 The department of natural resources shall expend not more than
 35 10 thirty thousand dollars of the moneys appropriated under this
 35 11 subparagraph to contract with the by-products and waste search
 35 12 service at the university of northern Iowa to provide training
 35 13 and other technical services to grantees under the program.
 35 14 If regional economic development centers cease to exist, the
 35 15 department shall transfer existing contracts to one or more
 35 16 community colleges or councils of governments and shall revise
 35 17 the criteria and rules for this program to allow community
 35 18 colleges or councils of governments ~~or regional planning~~
 35 19 ~~councils~~ to be applicants for competitive grants.

Requires the DNR to consult with the DED and the Waste Reduction Center at the University of Northern Iowa in establishing criteria for awarding the grants, and the DNR can contract for as much as \$30,000 with the By-product and Waste Research Service. In the event the REDCs cease to exist, the DNR can transfer existing contracts to 1 or more community colleges or COGs. Permits community colleges and COGs to apply for competitive grants.

35 20 Sec. 45. Section 455D.16, Code 1991, is amended to read as
 35 21 follows:
 35 22 **455D.16** PACKAGING PRODUCTS -- RECYCLING -- PROHIBITION OF
 35 23 POLYSTYRENE PRODUCTS.
 35 24 The department, in cooperation with businesses involved in
 35 25 the manufacturing and use of packaging products or food
 35 26 service items, shall establish a recycling program to increase
 35 27 the recycling of packaging products or food service items by
 35 28 twenty-five percent by ~~January 1, 1992~~ July 1, 1993, and by
 35 29 fifty percent by ~~January 1, 1993~~ July 1, 1994. If the
 35 30 recycling goals are not reached, beginning January 1, \$994
 35 31 ~~1995~~, a person shall not manufacture, offer for sale, sell, or
 35 32 use any polystyrene packaging products or food service items
 35 33 in this state.

CODE: Requires the DNR, in cooperation with businesses involved in manufacturing and packaging products or service items, to establish a recycling program to increase the recycling of packaging products or food service items by 25.0% no later than July 1, 1993, and by 50.0% no later than July 1, 1994. If the goals are not met, a person will not be allowed to manufacture, offer for sale, or use any polystyrene packaging products or food service items.

35 34 Sec. 46. Section 490.1422, subsection 1, unnumbered
 35 35 paragraph 1, Code 1991, is amended to read as follows:
 36 1 A corporation administratively dissolved under section
 36 2 **490.1421** may apply to the secretary of state for reinstatement

CODE: Allows a corporation which is administratively dissolved to apply to the Secretary of State for reinstatement within 10 years after the effective date of the dissolution.

36 3 within ~~two~~ ten years after the effective date of dissolution.
 36 4 The application must meet all of the following requirements:

36 5 Sec. 47. Section 508.10, unnumbered paragraph 2, Code
 36 6 1991, is amended to read as follows:
 36 7 An alien insurer, with the approval of the commissioner,
 36 8 may be treated as a domestic insurer of this state in whole or
 36 9 in part, and if so approved is deemed to be organized under
 36 10 the laws of this state and is an Iowa domestic insurer as
 36 11 provided by rules adopted by the commissioner. The approval
 36 12 of the commissioner may be based upon such factors as:

36 13 Sec. 48. NEW SECTION. 634.7 PUBLIC GRANTS BY PRIVATE
 36 14 FOUNDATIONS OR TRUSTS.

36 15 A grant, by a trust organized and funded prior to January
 36 16 1, 1992, to which this chapter applies, to the state of Iowa,
 36 17 or a political subdivision, or agency of the state or
 36 18 political subdivision, for purposes of economic development,
 36 19 shall be regarded as a charitable contribution if made prior
 36 20 to January 1, 1994.

36 21 Sec. 49. Notwithstanding the provision in section 15.313
 36 22 granting the director of the department of economic
 36 23 development discretion in the allocation of the moneys to the
 36 24 various accounts in the strategic investment fund, for the
 36 25 fiscal year beginning July 1, 1992, a minimum of \$500,000
 36 26 shall be allocated to the targeted small business financial
 36 27 assistance program account and a minimum of \$220,000 shall be
 36 28 allocated to the self-employment loan program account.

36 29 Sec. 50. All loan repayments under the rural community
 36 30 2000 program shall be transferred to the Iowa finance
 36 31 authority housing improvement fund under section 220.100.

36 32 Sec. 51. Sections 15.301 through 15.307, Code 1991, are
 36 33 repealed.

CODE: Permits an alien insurer, upon approval of the Commissioner, to be treated as a domestic insurer, and if approved, to be considered an Iowa domestic insurer.

CODE: Grants given by a trust organized and funded before January 1, 1992, to the State of Iowa, for economic development purposes will be regarded as charitable contributions if given before January 1, 1994.

CODE: Permits the Director of the DED to allocate funds within the Strategic Investment Fund to the various accounts in the Fund at the beginning of FY 1993. Requires that a minimum of \$500,000 be allocated to the TSBFA Program and a minimum of \$220,000 be allocated to the SELP.

Requires that all loan repayments received under the Rural Community 2000 Program be transferred to the Iowa Finance Authority Housing Improvement Fund.

CODE: Repeals reference to the Iowa Economic Development Network Act and the responsibilities of the Regional Coordinating Councils, REDCs, and the

Primary Center for Economic Development Programs and Services.

36 34 HF 2462
36 35 mk/pk/25

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS BILL**

HOUSE FILE 2465

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

• *All General Fund appropriations in this bill were reduced by 5.0% by SF 2393, the Second Extraordinary Session Bill, except K-12 School Aid and the Educational Excellence Program (Phase III). Appropriations for the Regents, community colleges, college aid and scholarship programs were reduced by 2.0% instead of 5.0%, resulting in a total reduction of \$14.3 million from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

• Funds the Circle West Incubator in Audubon by increasing the appropriation to the Des Moines Area Community College by **\$125,000**. (Page 2, Line 31)

• Appropriates **\$272,000** for the National Driving Simulator at the University of Iowa (SUT). (Page 13, Line 15)

*Appropriates **\$245,000** for a Recycling and Reuse Center at the University of Northern Iowa (UNI). (Page 14, Line 25)

*Specifies procedures for the SUI and the Department of Human Services regarding the Supplemental Disproportionate Share Payment System. (Page 15, Line 24)

• Permits the Department of Education (DE) to use up to **\$275,000** of Phase I monies which would have been transferred to Phase III for Management Information Systems, the Center for Assessment, and the Iowa Geography Alliance. (Page 20, Line 12)

• Allocates **\$335,000** from Phase III monies for school transformation projects. The funds may be used by the DE for projects by nonprofit corporations representing a coalition interested in school improvement in Iowa. It is the intent that **\$85,000** be used for **2.0 FTE** positions to assist school districts in restructuring. (Page 33, Line 20)

• Allocates **\$150,000**, beginning in **FY 1994**, from Phase I monies transferred to Phase III for the Family Resource Center Demonstration Program. (Page 33, Line 20) *This item was vetoed by the Governor.*

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

• Increases the appropriation for community colleges by **\$3.9 million** compared to the estimated net **FY 1992** appropriation. (Page 2, Line 31)

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS BILL**

HOUSE FILE 2465

- Increases the appropriation for Tuition Replacement by **\$4.5** million compared to ~~the~~ estimated net FY **1992** appropriation for a total of **\$22.9** million. (Page **9**, Line **31**)
- Increases the appropriation for child ~~care~~ at each institution of **higher** education by **\$50,000** for a total of **\$108,000** for child care at each institution. (Page **10**, Line **16**; Page **13**, Line **19**; and Page **14**, Line **20**)
- Increases funding for the Iowa Minority ~~Grants~~ for Economic Success Program (IMAGES) by **\$150,000** at SUI and Iowa State University (ISU), and by **\$100,000** at UNI. (Page **10**, Line **16**; Page **13**, Line **19**; and Page **14**, Line **20**)
- Increases funding for library acquisitions by **\$50,000** at SUI and ~~ISU~~. (Page **10**, Line **16**; Page **13**, Line **19**)
- Increases funding for the Agricultural Experiment Station at ISU by **\$3.3** million for Agricultural Research. This includes **\$282,000** for Livestock Disease Research while eliminating the standing appropriation for the Research. (Page **13**, Line **25**)
- Transfers the appropriation for Terrace Hill from the Department of Cultural Affairs (DCA) to the Office of the Governor. (Page **19**, Line **16**)
- Transfers the State Library, Regional Library System, and Iowa ~~State~~ Television (**IPTV**) from the DCA to the DE. (Page **24**, Line **4**)
- Eliminates the appropriation for all loan repayment programs, including the ~~nurses~~, occupational therapists, math and science teachers, and national guard personnel.
- Requires the ~~Board~~ of Regents to establish a uniform budgeting and accounting ~~system~~ for the institutions of higher education. (Page **21**, Line **10**)
- *Defines the communications equipment funds used as a match for ~~the State Communications~~ Network as expenditures for capital, equipment, hardware, and ~~software~~, including audio and visual transmission. (Page **21**, Line **18**)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS BILL**

HOUSE FILE 2465

- Requires the Board of Regents to use attorneys from the **Office** of the Attorney General. (Page 27, Line 21) *This item was vetoed by the Governor.*
- Allows school districts to have voluntary reorganization if the school districts **are** marginally **adjacent** to one another. (Page 29, Line 23)
- Permits the property **tax** levy for **merged** areas (community college districts) to increase from **3 cents** to 9 cents per thousand of **assessed** valuation for program sharing **between** community colleges. (Page 31, Line 8)
- Specifies that the administrators of the **Arts** Council, State Historical Society, State Library, and **IPTV** are appointed by the respective boards, councils or commissions and receive Senate confirmation. (Page 33, Line 35) *This item was vetoed by the Governor.*
- Repeals the standing appropriation for the Livestock Disease Research Program at **ISU**. (Page 36, Line 31)
- Repeals the section specifying that certain school administrators from consolidating **school** districts were eligible for early retirement incentives. (Page 36, Line 32)
- Requires the College Student Aid Commission to conduct a tracking **study** of **graduates** of the University of Osteopathic Medicine and Health Sciences and the Colleges of Medicine at the SUJ. (Page 7, Line 18)
- Requires the Higher Education Strategic Planning Council to conduct a study of **the need** for dental hygienists. (Page 8, Line 4) *This item was vetoed by the Governor.*
- Requires the DE to conduct a study of the statewide coordination of **information** delivery. (Page 35, Line 28) *This item was vetoed by the Governor.*
- Requires the DE to conduct a study **on** dyslexia. (Page 35, Line 32) *This item was vetoed by the Governor.*
- The Governor vetoed the study of dental hygienists by the Higher Education Strategic Planning Council. (Page 8, Line 4)

STUDIES AND INTENT LANGUAGE

GOVERNOR'S VETOES

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS BILL**

HOUSE FILE 2465

- The Governor vetoed the prohibition of the Board of Regents from ~~seeking~~ reimbursement from the institutions. (Page 9, Line 27)
- The Governor vetoed the exemption of community colleges from ~~the~~ budget adjustment implemented as a result of SF 2116 (Appropriations Adjustments Bill). (Page 21, Line 3)
- The Governor vetoed an additional 2 student members on the College Student Aid Commission. (Page 24, Line 21)
- The Governor vetoed the prohibition of the Board of Regents to employ ~~attorneys~~ for collective bargaining. (Page 27, Line 4)
- The Governor vetoed a requirement of the Board of Regents to establish a ~~fee~~ policy for services provided to the nonstudent population. (Page 27, Line 15)
- The Governor vetoed a requirement of the Board of Regents to ~~use~~ staff of the Attorney General for legal work. (Page 27, Line 21)
- The Governor vetoed language that deferred the start of the Staff Development Account standing appropriation until ~~FY 1994~~. (Page 32, Line 9)
- The Governor vetoed language which ~~used \$150,000~~ of Phase I funds ~~transferred to Phase III~~ to support the Family Resource Center Demonstration Program, beginning ~~in FY 1994~~. (Page 33, Line 20)
- The Governor vetoed language that the administrators of the ~~Arts~~ Council, State Historical Society, ~~State~~ Library, and IPTV are appointed by the respective ~~boards~~, councils or commissions and receive Senate confirmation. (Page 33, Line 35 and Page 36, Line 21)
- The Governor vetoed language that would replace 2 of the public ~~members~~ of the State Library Commission with 2 regional library trustees. (Page 34, Line 28)
- The Governor vetoed language requiring DE to conduct a study of the statewide coordination of information delivery, and a study on dyslexia. (Page 35, Line 28 and Page 35, Line 32)

House File 2465

House File 2465 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
2	31	1.10	Nwthstnd	Sec. All, Chapter 286A	Community College Funding
3	28	2.1	Nwthstnd	Sec. All, Chapter 286A	Comm. College 4th Quarter
5	21	4.1	Nwthstnd	Sec. 294A.25	Ed. Excellence Program
5	28	5	Nwthstnd	Sec. 279.51	Child Development Grants (At-Risk)
19	30	17	Nwthstnd	Sec. 8.33	Tuition Replacement Reversion
20	3	18	Nwthstnd	Sec. 261.20	Tuition Reserve Fund
20	12	19	Nwthstnd	Sec. 294A.25	New Programs in Education
20	20	20	Nwthstnd	Sec. 302.1 & 302.1A	Permanent School Fund
20	30	21	Nwthstnd	Sec. 321.376	School Bus Passenger Safety Fund
21	3	22	Amends	Sec. 100(8), SF 2116 1992 Iowa Acts	Exemption From Across-the- Board Reduction
21	10	23	Amends	Sec. 8.29	Uniform Budgeting
21	18	24	Amends	Sec. 18.136(3)	State Communications Network
22	32	25	Amends	Sec. 176A.10(6)	Extension Council Revenue Limits
23	22	26	Adds	Sec. 256.7(22) Code Supplement 1991	Division of Libraries and Information Services
23	27	27	Adds	Sec. 256.9(46,47, & 48) Code Supplement 1991	New Duties for the Director of Education
24	4	28	Adds	Sec. 256.22	Transfer of Duties to the Department of Education
24	21	29	Amends	Sec. 261.1(5) Code Supplement 1991	Membership of the College Student Aid Commission
25	17	30	Amends	Sec. 261.25(1) Code Supplement 1991	Tuition Grant Appropriation
25	22	30	Amends	Sec. 261.25(2) Code Supplement 1991	State Scholarship Program
25	26	30	Amends	Sec. 261.25(3) Code Supplement 1991	Vocational-Technical Grants
25	30	31	Amends	Sec. 261.38(7)	Middle Income Loan Program

Page #	Line #	Bill Section	Action	Code Section Changed	Description
				Code Supplement 1991	
26	25	32	Adds	Sec. 261.47	Priority for Nurses' Loans
26	33	33	Amends	Sec. 261.85	College Work-Study Program
				Code Supplement 1991	
27	4	34	Repeals	Sec. 262.9(15)	Legal Counsel
				Code Supplement 1991	
27	6	35	Amends	Sec. 262.9(24)	Oral Competence
				Code Supplement 1991	
27	15	36	Adds	Sec. 262.9	Fee Policy
				Code Supplement 1991	
27	21	37	Adds	Sec. 262.29A	Legal Counsel
27	34	38	Adds	Sec. 262.34A	Bidding Procedures
28	6	39	Adds	Sec. 262.348	Student Fees at Regents
29	12	40	Amends	Sec. 267.5(3)	Livestock Advisory Council
29	23	41	Amends	Sec. 275.1	Marginally Adjacent Districts
30	5	42	Adds	Sec. 275.1(4)	Marginally Adjacent Districts ..
30	12	43	Amends	Sec. 275.4	Technical Correction
30	23	44	Amends	Sec. 275.1 1	Marginally Adjacent Districts
30	30	45	Amends	Sec. 275.23A(1)	Marginally Adjacent Districts
31	8	46	Amends	Sec. 280A.28	Program Sharing Tax
32	9	47	Amends	Sec. 280A.50	Staff Development Account
33	2	48	Amends	Sec. 286A.14A	Community College Excellence
				Code Supplement 1991	2000 Account
33	20	49	Adds	Sec. 294A.25(5A & 6A)	School Transformation
33	35	50	Amends	Sec. 303.1(6)	Arts and Historical
				Code Supplement 199	Administrators
34	21	51	Amends	Sec. 303.2(3)(f)	Biennial Unified Plan of Service for Libraries
				Code Supplement 199	State Library Commission
311	28	52	Amends	Sec. 303.92(1)	State Library Commission
35	7	53	Adds	Sec. 303.92(4)	State Library Commission
35	12	54	Adds	Sec. 303B.2A	Regional Library Trustees
36	31	59	Repeals	Sec. 267.8	Livestock Research
				Code Supplement 1991	
36	32	60	Repeals	Sec. 275.59	School Early Retirement

1 1 DEPARTMENT OF EDUCATION

1 2 Section 1. There is appropriated from the general fund of
1 3 the state to the department of education for the fiscal year
1 4 beginning July 1, 1992, and ending June 30, 1993, the
1 5 following amounts, or so much thereof as may be necessary, to
1 6 be used for the purposes designated:

1 7 1. GENERAL ADMINISTRATION

1 8 For salaries, support, maintenance, miscellaneous purposes,
1 9 and for not more than the following full-time equivalent
1 10 positions:

1 11	\$	8,412,000
1 12	FTEs	145.00

General Fund appropriation to the Department of Education (DE) General Administration Division.

DETAIL: This is an increase of \$3,301,346 and 37.70 FTE positions compared to the estimated net FY 1992 appropriation. The State Library and Regional Library System are transferred to this appropriation.

INTENT: The DE General Administration Division shall expend:

1. \$125,000 for the Autism Regional Program.
2. \$2,059,000 and 35.00 FTE positions for the State Library. This is an increase of \$4,515 and a decrease of 2.00 FTE positions compared to the estimated net FY 1992 appropriation. Of the funds appropriated, an additional \$50,000 is to be expended on Open Access and \$50,000 for library materials.
3. \$1,500,000 for the Regional Library System. This is a decrease of \$50,981 compared to the estimated net FY 1992 appropriation.
4. \$40,000 and 1.00 FTE position for a Budget Analyst III.
5. Utilize 2.00 FTE positions in the Bureau of School Administration and Accreditation to assist school districts that reorganize, dissolve, enter into sharing agreements, or

engage in other similar restructuring arrangements. The 2.00 FTE positions are funded with \$85,000 from Phase III.

INTENT: The DE director shall consult with and solicit input from the Iowa Association of Future Homemakers of America, the Iowa Home Economics Association, the Home Economics consultant, the Department of Public Health (DPH), and the Department of Human Services (DHS) in conducting the annual review of the family, consumer, and career education standards.

1 13 2. VOCATIONAL EDUCATION ADMINISTRATION
 1 14 For salaries, support, maintenance, miscellaneous purposes,
 1 15 and for not more than the following full-time equivalent
 1 16 positions:
 1 17 \$ 704,000
 1 18 FTEs 26.45

General Fund appropriation to the Vocational Education Administration.

DETAIL: This is a decrease of \$97,711 and no change in FTE positions compared to the estimated net FY 1992 appropriation. This budget unit receives an equal match from the federal government.

1 19 3. VOCATIONAL REHABILITATION DIVISION
 1 20 a. For salaries, support, maintenance, miscellaneous
 1 21 purposes, and for not more than the following full-time
 1 22 equivalent positions:
 1 23 \$ 3,459,000
 1 24 FTEs 307.50

General Fund appropriation to Vocational Rehabilitation (VR).

DETAIL: This is an increase of \$19,416 and a decrease of 12.00 FTE positions compared to the estimated net FY 1992 appropriation. VR estimates that it would need an appropriation of \$4,928,967 to receive the maximum federal funds available of \$18,324,384. VR will receive approximately \$12,993,593 in federal funds for FY 1993 with this appropriation.

1 25 b. For matching funds for programs to enable severely
 1 26 physically or mentally disabled persons to function more
 1 27 independently, including salaries and support, and for not
 1 28 more than the following full-time equivalent positions:

General Fund appropriation to the Independent Living Program.

DETAIL: This is an increase of \$182 and no change in

PG LN House File 2465 Explanation

1 29 \$ 20,611
 1 30 FTEs 1.50

FTE positions compared to the estimated net FY 1992 appropriation. This appropriation is for a 90.0%/ 10.0% federal/state match.

1 31 4. CORRECTIONS EDUCATION PROGRAM
 1 32 For educational programs at state penal institutions:
 1 33 \$ 1,948,000

General Fund appropriation to the Correctional Education Program.

DETAIL: This is a decrease of \$84,985 compared to the estimated net FY 1992 appropriation.

1 34 5. BOARD OF EDUCATIONAL EXAMINERS
 1 35 For salaries, support, maintenance, miscellaneous purposes,
 2 1 and for not more than the following full-time equivalent
 2 2 positions:
 2 3 \$ 120,000
 2 4 FTEs 2.00

General Fund appropriation to the Board of Educational Examiners.

DETAIL: This is a decrease of \$956 and no change in FTE positions compared to the estimated net FY 1992 appropriation.

2 5 6. SCHOOL FOOD SERVICE
 2 6 For use as state matching funds for federal programs which
 2 7 shall be disbursed according to federal regulations, including
 2 8 salaries, support, maintenance, miscellaneous purposes, and
 2 9 for not more than the following full-time equivalent
 2 10 positions:
 2 11 \$ 2,809,000
 2 12 FTEs 16.00

General Fund appropriation to School Food Service.

DETAIL: This is a decrease of \$121,763 and an increase of 2.80 FTE positions compared to the estimated net FY 1992 appropriation.

2 13 7. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
 2 14 To provide funds for costs of providing textbooks to each
 2 15 resident pupil who attends a nonpublic school as authorized by
 2 16 section 301.1. The funding is limited to \$20 per pupil and
 2 17 shall not exceed the comparable services offered to resident
 2 18 public school pupils:
 2 19 \$ 580,000

General Fund appropriation to Textbooks of Nonpublic School Pupils.

DETAIL: This is an increase of \$4,627 compared to the estimated net FY 1992 appropriation. Claims will be prorated to meet the appropriation.

2 20 8. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION
 2 21 To assist a vocational agriculture youth organization
 2 22 sponsored by the schools to support the foundation established

General Fund appropriation to the Vocational Agriculture Youth Organization.

2 23 by that vocational agriculture youth organization:
 2 24 \$ 52,000

DETAIL: This is an increase of \$14,360 compared to the estimated net FY 1992 appropriation.

INTENT: DE shall allocate \$15,000 to the Youth Leadership Grants,

2 25 9. PUBLIC BROADCASTING DIVISION
 2 26 For salaries, support, maintenance, capital expenditures,
 2 27 miscellaneous purposes, and for not more than the following
 2 28 full-time equivalent positions:
 2 29 \$ 5,959,000
 2 30 FTEs 96.00

General Fund appropriation to DE for Iowa Public Television (PTV).

DETAIL: This is an increase of \$12,106 and decrease of 3.00 FTE positions compared to the estimated net FY 1992 appropriation. Iowa Public Television was transferred to the DE from the Department of Cultural Affairs (DCA).

2 31 10. COMMUNITY COLLEGES
 2 32 Notwithstanding chapter 286A, for general state financial
 2 33 aid, including general financial aid to merged areas in lieu
 2 34 of personal property tax replacement payments under section
 2 35 427A.13, to merged areas as defined in section 280A.2, for
 3 1 vocational education programs in accordance with chapters 258
 3 2 and 280A, to purchase instructional equipment for vocational
 3 3 and technical courses of instruction in community colleges,
 3 4 and for salary increases:
 3 5 \$ 90,444,323
 3 6 The funds appropriated in this subsection shall be
 3 7 allocated as follows:
 3 8 a. Merged Area I \$ 4,233,706
 3 9 b. Merged Area II \$ 5,106,833
 3 10 c. Merged Area III \$ 4,923,558
 3 11 d. Merged Area IV \$ 2,316,905
 3 12 e. Merged Area V \$ 4,910,817
 3 13 f. Merged Area VI \$ 4,602,152
 3 14 g. Merged Area VII \$ 6,318,184
 3 15 h. Merged Area IX \$ 7,947,083
 3 16 i. Merged Area X \$ 12,285,772
 3 17 j. Merged Area XI \$ 13,347,163

CODE: General Fund appropriation to the community colleges.

DETAIL: This is an increase of \$2,918,015 compared to the estimated net FY 1992 appropriation. Community colleges received a total increase of \$3,904,572 compared to the estimated net FY 1992 appropriation. This increase includes General Aid, Fourth Quarter Aid, and Property Tax Replacement for FY 1992. The appropriation is a \$17,236,329 reduction from the funding formula specified in current law.

The appropriation is distributed to each community college as follows:

1. \$88,306,207 is distributed exactly as the estimated net FY 1992 appropriation.
2. \$1,212,424 is distributed in the same proportion as generated by the community college formula under current law.
3. \$800,692 of Property Tax Replacement that was

3 18	k. Merged Area XII	\$ 5,207,421
3 19	l. Merged Area XIII	\$ 5,360,677
3 20	m. Merged Area XIV	\$ 2,372,695
3 21	n. Merged Area XV	\$ 7,354,647
3 22	o. Merged Area XVI	\$ 4,156,710

previously in a separate line item is distributed in the same proportion as in prior years.
 4. \$125,000 for Des Moines Area Community College to expend up to \$125,000 on the Circle West Incubator in Audubon.

3 23 Sec. 2. There is appropriated from the general fund of the
 3 24 state to the department of education for the fiscal year
 3 25 beginning July 1, 1993, and ending June 30, 1994, the
 3 26 following amounts, or so much thereof as is necessary, to be
 3 27 used for the purposes designated:

3 28 1. Notwithstanding chapter 286A for state financial aid,
 3 29 including general financial aid to merged areas in lieu of
 3 30 personal property tax replacement payments under section
 3 31 427A.13, to merged areas to be accrued as income and used for
 3 32 expenditures incurred by the community colleges during the
 3 33 fiscal year beginning July 1, 1992, and ending June 30, 1993:
 3 34 \$ 16,450,231

CODE: General Fund appropriation for Fourth Quarter payment to community colleges, which is paid and accounted for by the State in FY 1994.

DETAIL: This is the same funding level as the FY 1993 appropriation. This is a \$2,732,187 reduction from the funding formula specified in current law. The 4th Quarter payment of the community college funding formula for FY 1993 is deferred until FY 1994. The community colleges will consider this as income for FY 1993. This does not meet Generally Accepted Accounting Principles (GAAP).

3 35 The funds appropriated in this section shall be allocated
 4 1 as follows:

4 2	a. Merged Area I	\$ 777,072
4 3	b. Merged Area II	\$ 930,993
4 4	c. Merged Area III	\$ 894,475
4 5	d. Merged Area IV	\$ 423,103
4 6	e. Merged Area V	\$ 897,586
4 7	f. Merged Area VI	\$ 836,461
4 8	g. Merged Area VII	\$ 1,152,178
4 9	h. Merged Area IX	\$ 1,446,020
4 10	i. Merged Area X	\$ 2,232,424
4 11	j. Merged Area XI	\$ 2,414,311
4 12	k. Merged Area XII	\$ 948,649
4 13	l. Merged Area XIII	\$ 974,188
4 14	m. Merged Area XIV	\$ 431,773
4 15	n. Merged Area XV	\$ 1,335,675
4 16	o. Merged Area XVI	\$ 755,323

The appropriation is distributed to each community college as follows:

1. \$16,106,923 is distributed exactly as the estimated net FY 1992 appropriation.
2. \$343,308 of Property Tax Replacement that was previously in a separate line item is distributed in the same proportion as in prior years.

4 17 2. Funds appropriated by this section shall be allocated
 4 18 pursuant to this section and paid on or about August 15, 1993.

Requires the 4th Quarter payment to be paid on or about August 15, 1993.

4 19 Sec. 3. There is appropriated from the general fund of the
 4 20 state to the department of education for the fiscal year
 4 21 beginning July 1, 1992, and ending June 30, 1993, the
 4 22 following amounts, or so much thereof as is necessary, to be
 4 23 used for the purposes designated:

4 24 1. For general financial aid to merged areas in lieu of
 4 25 personal property tax replacement payments under section
 4 26 427A.13 to be accrued as income and used for expenditures
 4 27 incurred by the community colleges during the fiscal year
 4 28 beginning July 1, 1991, and ending June 30, 1992:

General Fund appropriation for 30.0% of the Personal Property Tax Replacement for FY 1992. This 30.0% is to be paid in FY 1993.

4 29 \$ 343,308

DETAIL: This Act repeals the FY 1992 appropriation and reappropriates the funds so the amount can be reduced by \$11,532. The community colleges will consider this income for FY 1992 which does not meet GAAP.

4 30 The funds appropriated in this subsection shall be
 4 31 allocated as follows:

4 32	a. Merged Area I	\$	27,015
4 33	b. Merged Area II	\$	20,967
4 34	c. Merged Area III	\$	14,053
4 35	d. Merged Area IV	\$	9,601
5 1	e. Merged Area V	\$	24,896
5 2	f. Merged Area VI	\$	14,311
5 3	g. Merged Area VII	\$	24,001
5 4	h. Merged Area IX	\$	28,653
5 5	i. Merged Area X	\$	40,294
5 6	j. Merged Area XI	\$	59,072
5 7	k. Merged Area XII	\$	19,157
5 8	l. Merged Area XIII	\$	16,988
5 9	m. Merged Area XIV	\$	8,635
5 10	n. Merged Area XV	\$	22,816
5 11	o. Merged Area XVI	\$	12,849

5 12 2. Funds appropriated in subsection 1 shall be allocated
 5 13 pursuant to this section and paid on or about August 15, 1992.

Requires the 4th Quarter payment to be paid on or about August 15, 1992.

5 14 Sec. 4. Notwithstanding the appropriation provided in
 5 15 section 294A.25, subsection 1, there is appropriated from the
 5 16 general fund of the state to the department of education for
 5 17 the fiscal year beginning July 1, 1992, and ending June 30,
 5 18 1993, the following amount, or so much thereof as may be
 5 19 necessary, to be used for the purpose designated and for not
 5 20 more than the following full-time equivalent position:

5 21 1. Notwithstanding section 294A.25, for the educational
 5 22 excellence program:
 5 23 \$ 92,297,891
 5 24 FTEs 1.00

CODE: General Fund appropriation to the Educational Excellence Program.

DETAIL: This is an increase of \$818,640 and no change in FTE positions compared to the estimated net FY 1992 appropriation. The appropriation is a decrease of \$1,679,709 from current law which provided for allowable growth of Phase III.

5 25 2. To supplement the appropriation in section 294A.25 for
 5 26 phase II:
 5 27 \$ 563,953

General Fund appropriation to the Educational Excellence Program for allowable growth on Phase II.

DETAIL: This is usually included in the Educational Excellence appropriation but was separated into this new appropriation. This is a decrease of \$1,110,925 from current law.

5 28 Sec. 5. Notwithstanding the standing appropriations in
 5 29 section 279.51 for the fiscal year beginning July 1, 1992, and
 5 30 ending June 30, 1993, the amount appropriated from the general
 5 31 fund of the state to the department of education pursuant to
 5 32 that section for the following designated purposes shall not
 5 33 exceed the following amounts for programs for at-risk children
 5 34 under section 279.51, subsection 1:
 5 35 \$ 10,727,640

CODE: General Fund appropriation to the Child Development Grants (At-Risk).

DETAIL: This is an increase of \$94,743 compared to the estimated net FY 1992 appropriation. The appropriation is a decrease of \$917,664 from current law which provided allowable growth.

6 1 During the fiscal year beginning July 1, 1992, the funds.
 6 2 appropriated in this section shall be allocated in the same
 6 3 manner as allocated in 1991 Iowa Acts, chapter 267, section

Requires the funds to be distributed in the same proportion as they were distributed in FY 1992.

6 4 205.

6 5 Sec. 6. There is appropriated from the general fund of the
6 6 state to the department of education for the fiscal year
6 7 beginning July 1, 1992, and ending June 30, 1993, the
6 8 following amount, or *so* much thereof as may be necessary, to
6 9 be used for the purpose designated:

6 10 For expenditures incurred by school districts during the
6 11 previous fiscal year for vocational education aid to secondary
6 12 schools:

6 13 \$ 3,483,000

6 14 Funds appropriated in this section shall be used for
6 15 expenditures made by school districts to meet the standards
6 16 set in sections 256.11, 258.4, and 280A.23 as a result of the
6 17 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used
6 18 as reimbursement for vocational education expenditures made by
6 19 secondary schools in the manner provided by the department of
6 20 education for implementation of the standards set in 1989 Iowa
6 21 Acts, chapter 278. The department shall inform school
6 22 districts by July 1, 1991, of the criteria for reimbursement
6 23 with funds appropriated under this section.

6 24 Sec. 7. There is ~~appropriated~~ from the general fund of the
6 25 state to the department of education for the fiscal year
6 26 beginning July 1, 1993, and ending June 30, 1994, the
6 27 following amount, or *so* much thereof as may be necessary, to
6 28 be used for the purpose designated:

6 29 For expenditures incurred by school districts during the
6 30 previous fiscal year for vocational education aid to secondary
6 31 schools:

6 32 \$ 3,483,000

6 33 Funds appropriated in this section shall be used for
6 34 expenditures made by school districts to meet the standards
6 35 set in sections 256.11, 258.4, and 280A.23 as a result of the

General Fund appropriation for FY 1993 to Vocational Education Aid to Secondary Schools.

DETAIL: This is a decrease of \$59,303 compared to the estimated net FY 1992 appropriation. This Act repeals the FY 1992 appropriation and reappropriates the funds so the amount can be reduced. This maintains the 3.25% across-the-board reduction. The payment will be made in FY 1993, which does not meet GAAP.

Requires that the funds appropriated be used for reimbursement of vocational expenditures made by secondary schools to implement the standards set by SF 449, as enacted by the 1989 General Assembly. This is the same language as passed in HF 479, but is repeated since this section is repealed in this Act.

General Fund appropriation for FY 1994 to Vocational Education Aid to Secondary Schools.

DETAIL: This is the same funding level as the FY 1993 appropriation. The payment will be made in FY 1994, which does not meet GAAP.

Requires that the funds appropriated be used for reimbursement of vocational expenditures made by secondary schools to implement the standards set by

7 1 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used
7 2 as reimbursement for vocational education expenditures made by
7 3 secondary schools in the manner provided by the department of
7 4 education for implementation of the standards set in 1989 Iowa
7 5 Acts, chapter 278.

SF 449, as enacted by the 1989 General Assembly.

7 6 COLLEGE STUDENT AID COMMISSION

7 7 Sec. 8. There is appropriated from the general fund of the
7 8 state to the college student aid commission for the fiscal
7 9 year beginning July 1, 1992, and ending June 30, 1993, the
7 10 following amounts, or so much thereof as may be necessary, to
7 11 be used for the purposes designated:

7 12 1. GENERAL ADMINISTRATION

7 13 For salaries, support, maintenance, miscellaneous purposes,
7 14 and for not more than the following full-time equivalent
7 15 positions:

7 16	\$	333,000
7 17	FTEs	7.80

General Fund appropriation to the College Student Aid Commission (CSAC).

DETAIL: This is an increase of \$1,201 and a decrease of 0.25 FTE position compared to the estimated net FY 1992 appropriation.

7 18 a. The college student aid commission, in conjunction with
7 19 the university of osteopathic medicine and health sciences and
7 20 the state university of Iowa college of medicine, shall conduct
7 21 a tracking study of the Iowa graduates of the university of
7 22 osteopathic medicine and health sciences and the Iowa graduates
7 23 of the state university of Iowa college of medicine. The study
7 24 shall track Iowa students who graduated from the university and
7 25 completed their residencies from 1989 through 1992. The study
7 26 shall ascertain the number of graduates who practice outside of
7 27 Iowa and the number who practice within Iowa. Of the graduates
7 28 practicing in Iowa, the study shall determine their reasons for
7 29 remaining in Iowa; the number of graduates practicing in rural
7 30 communities, hospitals, or clinics; the number of graduates
7 31 practicing in urban communities, hospitals, or clinics; the
7 32 number of graduates practicing in county communities,
7 33 hospitals, or clinics; the number of graduates who include

Requires the CSAC to conduct a tracking study of Iowa students who have graduated from the University of Osteopathic Medicine and Health Sciences and the University of Iowa (SUI) College of Medicine.

7 34 medical assistance patients and indigent patients in their
7 35 practice; and the average percentage of medical assistance and
8 1 indigent patients treated by graduates. The commission shall
8 2 report the study's findings and recommendations to the general
8 3 assembly by January 1, 1993.

8 4 [b. The higher education strategic planning council shall VETOED
8 5 conduct a study relating to dental hygienists in Iowa. The
8 6 study shall determine the following:
8 7 (1) The need for dental hygienists in Iowa.
8 8 (2) The qualifications needed to perform as a dental
8 9 hygienist in Iowa.
8 10 (3) Cost-effective means to provide the education necessary
8 11 to supply the state with qualified dental hygienists.]

Requires the Higher Education Strategic Planning Council to conduct a study relating to dental hygienists in Iowa.

VETOED: The Governor vetoed this section, stating that the study is beyond the Council's scope of responsibilities and sufficient resources are unavailable to conduct the study.

8 12 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

8 13 a. For grants to seniors and for forgivable loans to
8 14 freshmen and sophomores and juniors, who are Iowa students
8 15 attending the university of osteopathic medicine and health
8 16 sciences, under the grant program pursuant to section 261.18
8 17 and the forgivable loan program pursuant to section 261.19A:
8 18 \$ 387,000

General Fund appropriation for the University of Osteopathic Medicine and Health Sciences.

DETAIL: This is an increase of \$944 compared to the estimated net FY 1992 appropriation. The change from grants to forgivable loans is in the third year, with only the seniors receiving grants.

8 19 b. For the university of osteopathic medicine and health
8 20 sciences for the admission and education of Iowa students in
8 21 each of the four years of classes at the university of
8 22 osteopathic medicine and health sciences pursuant to section
8 23 261.19:
8 24 \$ 250,000

General Fund appropriation for the Osteopathic Subvention Program. This is a decrease of \$162,350 compared to the estimated net FY 1992 appropriation.

8 25 3. STUDENT AID PROGRAMS
8 26 For payments to students for student aid programs:
8 27 \$ 1,500,000

General Fund appropriation for the Student Aid Programs.

DETAIL: This is a decrease of \$289,518 compared to the estimated net FY 1992 appropriation. All loan

8 28 From the moneys appropriated in this subsection, \$1,425,651
 8 29 shall be expended for an Iowa grant program, with funds to be
 8 30 allocated to institutions pursuant to section 261.93A. The
 8 31 remainder shall be allocated for the graduate student
 8 32 financial assistance program.

repayment programs are not being funded in FY 1993.

Requires \$1,425,651 be expended for the Iowa Grant Program and that \$74,349 be expended for the Graduate Student Financial Assistance Program.

8 33 It is the intent of the general assembly that the college
 8 34 student aid commission reduce the maximum grant and average
 8 35 grant under the state tuition grant program while maintaining
 9 1 the same number of qualified students receiving grants in the
 9 2 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 9 3 as were provided in the previous fiscal year.

Provides legislative intent that the CSAC reduce the maximum and average grant awards of the Tuition Grant Program rather than reducing the number of students eligible for a grant.

9 4 Sec. 9. There is appropriated from the loan reserve
 9 5 account to the college student aid commission for the fiscal
 9 6 year beginning July 1, 1992, and ending June 30, 1993, the
 9 7 following amount, or so much thereof as may be necessary, to
 9 8 be used for the purposes designated:

Stafford Loan Fund appropriation for the operations of the Stafford Loan Program by the CSAC.

9 9 For operating costs of the Stafford loan program including
 9 10 salaries, support, maintenance, miscellaneous purposes, and
 9 11 for not more than the following full-time equivalent
 9 12 positions:

DETAIL: This is an increase of \$223,725 and no change in FTE positions compared to the FY 1992 appropriation. This is not General Fund monies.

9 13	\$	3,894,741
9 14	FTEs	36.52

9 15 STATE BOARD OF REGENTS

9 16 Sec. 10. There is appropriated from the general fund of
 9 17 the state to the state board of regents for the fiscal year
 9 18 beginning July 1, 1992, and ending June 30, 1993, the
 9 19 following amounts, or so much thereof as may be necessary, to
 9 20 be used for the purposes designated:

9 21 1. OFFICE OF STATE BOARD OF REGENTS

9 22 a. For salaries, support, maintenance, miscellaneous
 9 23 purposes, and for not more than the following full-time
 9 24 equivalent positions:
 9 25 \$ 1,025,000
 9 26 FTEs 16.63

General Fund appropriation to the Office of the Board of Regents.

DETAIL: This is a decrease of \$41,184 and 1.0 FTE position compared to the estimated net FY 1992 appropriation. The Associate Director of Business and Finance position is eliminated.

9 27 [The moneys provided in this paragraph shall not be
 9 28 augmented by reimbursements from the institutions under the
 9 29 control of the state board of regents for the funding of the
 9 30 office of the state board of regents.]

VETOED

Prohibits the Board of Regents from charging the institutions for funding the Office of the Board of Regents.

VETOED: The Governor vetoed this paragraph, stating that the Board of Regents should retain the authority to finance critical leadership activities.

9 31 b. For allocation by the state board of regents to the
 9 32 state university of Iowa, the Iowa state university of science
 9 33 and technology, and the university of northern Iowa to
 9 34 reimburse the institutions for deficiencies in their operating
 9 35 funds resulting from the pledging of tuitions, student fees
 10 1 and charges, end institutional income to finance the cost of
 10 2 providing academic and administrative buildings and facilities
 10 3 and utility services at the institutions:
 10 4 \$ 22,927,000

General Fund appropriation to the Board of Regents for the tuition replacement appropriation.

DETAIL: This is an increase of \$4,485,176 compared to the estimated net FY 1992 appropriation. This appropriation reimburses student fees used to pay the debt service on Academic Revenue Bonds.

10 5 c. For funds to be allocated to the southwest Iowa
 10 6 graduate studies center:
 10 7 \$ 35,000

General Fund appropriation to the Board of Regents for the Southwest Iowa Graduate Studies Center.

DETAIL: This is a decrease of \$481 compared to the estimated net FY 1992 appropriation. However, \$33,000 is transferred from the Tuition Grant Reserve Fund in Section 18 of this Act for a net increase of \$32,519 compared to the estimated net FY 1992 appropriation.

10 8 d. For funds to be allocated to the siouxland interstate

General Fund appropriation to the Board of Regents

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10 9 metropolitan planning council for the tristate graduate center
 10 10 under section 262.9, subsection 21:
 10 11 \$ 68,000

for the Tristate Graduate Center.
 DETAIL: This is a decrease of \$524 compared to the estimated net FY 1992 appropriation.

10 12 e. For funds to be allocated to the quad-cities graduate
 10 13 studies center:
 10 14 \$ 145,000

General Fund appropriation to the Board of Regents for the Quad-Cities Graduate Studies Center.
 DETAIL: This is an increase of \$1,157 compared to the estimated net FY 1992 appropriation.

10 15 2. STATE UNIVERSITY OF IOWA

10 16 a. General university. including lakeside laboratory
 10 17 For salaries, support, maintenance, equipment,
 10 18 miscellaneous purposes, and for not more than the following
 10 19 full-time equivalent positions:
 10 20 \$168,193,000
 10 21 FTEs 3,962.27

General Fund appropriation to the SUI general operating budget.
 DETAIL: This is an increase of \$1,699,987 and a decrease of 72.58 FTE positions compared to the estimated net FY 1992 appropriation. This includes:
 1. \$108,050 for child care.
 2. \$614,400 for the Iowa Minority Grants for Economic Success Program (IMAGES).
 3. An additional \$50,000 for library acquisitions.

10 22 b. University hospitals
 10 23 For salaries, support, maintenance, equipment,
 10 24 miscellaneous purposes, and for not more than the following
 10 25 full-time equivalent positions for medical and surgical
 10 26 treatment of indigent patients as provided in chapter 255:
 10 27 \$ 27,359,000
 10 28 FTEs 5,364.14

General Fund appropriation to SUI for the University of Iowa Hospitals and Clinics Indigent Care Program.
 DETAIL: This is an increase of \$244,466 and a decrease of 11.54 FTE positions compared to the estimated net FY 1992 appropriation.

10 29 Funds appropriated in this paragraph shall not be used to
 10 30 perform abortions except medically necessary abortions, and
 10 31 shall not be used to operate the early termination of
 10 32 pregnancy clinic except for the performance of medically

Allows only medically necessary abortions for patients served by the Indigent Patient Care Program.

10 33 necessary abortions. For the purpose of this paragraph, an
 10 34 abortion is the purposeful interruption of pregnancy with the
 10 35 intention other than to produce a live-born infant or to
 11 1 remove a dead fetus, and a medically necessary abortion is one
 11 2 performed under one of the following conditions:

11 3 (1) The attending physician certifies that continuing the
 11 4 pregnancy would endanger the life of the pregnant woman.

11 5 (2) The attending physician certifies that the fetus is
 11 6 physically deformed, mentally deficient, or afflicted with a
 11 7 congenital illness.

11 8 (3) The pregnancy is the result of a rape which is
 11 9 reported within 45 days of the incident to a law enforcement
 11 10 agency or public or private health agency which may include a
 11 11 family physician.

11 12 (4) The pregnancy is the result of incest which is
 11 13 reported within 150 days of the incident to a law enforcement
 11 14 agency or public or private health agency which may include a
 11 15 family physician.

11 16 (5) The abortion is a spontaneous abortion, commonly known
 11 17 as a miscarriage, wherein not all of the products of
 11 18 conception are expelled.

11 19 The total quota allocated to the counties for indigent
 11 20 patients for the fiscal year commencing July 1, 1992, shall
 11 21 not be lower than the total quota allocated to the counties
 11 22 for the fiscal year commencing July 1, 1991. The total quota
 11 23 shall be allocated among the counties on the basis of the 1990
 11 24 census pursuant to section 255.16.

11 25 c. Psychiatric hospital
 11 26 For salaries, support, maintenance, equipment,
 11 27 miscellaneous purposes, and for not more than the following
 11 28 full-time equivalent positions and the care, treatment,
 11 29 and maintenance of committed and voluntary public patients:
 11 30 \$ 6,517,000
 11 31 FTEs 284.00

General Fund appropriation to the SUI for the
 Psychiatric Hospital.

DETAIL: This is an increase of \$58,505 and a
 decrease of 3.35 FTE positions compared to the
 estimated net FY 1992 appropriation.

11 32 d. Hospital-school

General Fund appropriation to the SUI for the

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11 33	For salaries, support, maintenance, miscellaneous purposes,		Hospital-School.
11 34	and for not more than the following full-time equivalent		
11 35	support, and for not more than the following full-time		DETAIL: This is an increase of \$45,562 and a
12 1	equivalent positions:		decrease of 3.90 FTE positions compared to the
12 2	.....	\$ 5,133,000	estimated net FY 1992 appropriation.
12 3	.....	FTEs 165.49	
12 4	e. Oakdale campus		General Fund appropriation to the SUI for the Oakdale
12 5	For salaries, support, maintenance, miscellaneous purposes,		Campus.
12 6	and for not more than the following full-time equivalent		
12 7	positions:		DETAIL: This is an increase of \$23,909 and a
12 8	.....	\$ 2,653,000	decrease of 2.37 FTE positions compared to the
12 9	.....	FTEs 64.48	estimated net FY 1992 appropriation.
12 10	f. State hygienic laboratory		General Fund appropriation to the SUI for the State
12 11	For salaries, support, maintenance, miscellaneous purposes,		Hygienic Laboratory.
12 12	and for not more than the following full-time equivalent		
12 13	positions:		DETAIL: This is an increase of \$24,917 and a
12 14	.....	\$ 2,820,000	decrease of 2.57 FTE positions compared to the
12 15	.....	FTEs 100.93	estimated net FY 1992 appropriation.
12 16	g. Family practice program		General Fund appropriation to the SUI for the Family
12 17	For allocation by the dean of the college of medicine, with		Practice Program.
12 18	approval of the advisory board, to qualified participants, to		
12 19	carry out chapter 148D for the family practice program,		DETAIL: This is an increase of \$14,882 and no change
12 20	including salaries and support, and for not more than the		in FTE positions compared to the estimated net FY
12 21	following full-time equivalent positions:		1992 appropriation.
12 22	.....	\$ 1,694,000	
12 23	.....	FTEs 161.44	
12 24	h. Child health care services		General Fund appropriation to the SUI for the Child
12 25	For specialized child health care services, including		Health Care Services Program.
12 26	childhood cancer diagnostic and treatment network programs,		
12 27	rural comprehensive care for hemophilia patients, and Iowa		DETAIL: This is an increase of \$2,894 and no change
12 28	high-risk infant follow-up program, including salaries and		in FTE positions compared to the estimated net FY
12 29	support, and for not more than the following full-time		1992 appropriation.
12 30	equivalent positions:		

12 31		\$	402,000
12 32	FTEs		11.16
12 33 i. Agricultural health and safety programs			
12 34 For agricultural health and safety programs:			
12 35		\$	238,000
13 1	FTEs		3.30

General Fund appropriation to the SUI for agricultural health and safety programs.

DETAIL: This is an increase of \$2,008 and 0.10 FTE position compared to the estimated net FY 1992 appropriation.

13 2 j. Statewide tumor registry			
13 3 For the statewide tumor registry and for not more than the			
13 4 following full-time equivalent positions:			
13 5		\$	181,000
13 6	FTEs		3.44

General Fund appropriation to the SUI for the Statewide Tumor Registry.

DETAIL: This is an increase of \$1,013 and 0.78 FTE position compared to the estimated net FY 1992 appropriation.

13 7 k. Substance abuse consortium			
13 8 For funds to be allocated to the Iowa consortium for			
13 9 substance abuse research and evaluation:			
13 10		\$	58,000
13 11	FTEs		1.50

General Fund appropriation to the SUI for the Substance Abuse Consortium.

DETAIL: This is an increase of \$463 and no change in FTE positions compared to the estimated net FY 1992 appropriation.

13 12 l. Center for biocatalysis			
13 13 For the center for biocatalysis:			
13 14		\$	1,304,874

General Fund appropriation to the SUI for the Center for Biocatalysis.

DETAIL: This is an increase of \$1,017,188 and a decrease of 1.76 FTE positions compared to the estimated net FY 1992 appropriation.

13 15 m. National advanced driving simulator			
13 16 For the national advanced driving simulator:			
13 17		\$	272,000

General Fund appropriation to the SUI for the National Advanced Driving Simulator.

DETAIL: This is a new appropriation in FY 1993.

13 18 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

13 19 a. General university
 13 20 For salaries, support, maintenance, equipment,
 13 21 miscellaneous purposes, and for not more than the following
 13 22 full-time equivalent positions:
 13 23 \$136,964,000
 13 24 FTEs 3,612.45

General Fund appropriation to Iowa State University (ISU) for the general operating budget.

DETAIL: This is an increase of \$1,358,097 and a decrease of 51.25 FTE positions compared to the estimated net FY 1992 appropriation. This includes:

1. \$108,050 for child care.
2. \$614,400 for IMAGES.
3. An additional \$50,000 for library acquisitions.

13 25 b. Agricultural experiment station
 13 26 For salaries, support, maintenance, miscellaneous purposes,
 13 27 and for not more than the following full-time equivalent
 13 28 positions:
 13 29 \$ 23,955,396
 13 30 FTEs 481.43

General Fund appropriation to ISU for the Agricultural Experiment Station.

DETAIL: This is an increase of \$3,269,446 and 31.12 FTE positions compared to the estimated net FY 1992 appropriation. This adds \$2,987,845 for Agricultural Research and replaces \$281,601 from a standing appropriation for Livestock Research which is repealed in Section 59 of this Act.

13 31 Of the funds appropriated in this lettered paragraph,
 13 32 \$281,601 shall be used by the school of veterinary medicine
 13 33 for livestock disease research consistent with the
 13 34 recommendation of the livestock health advisory council
 13 35 required by chapter 267.

Requires the School of Veterinary Medicine at ISU to expend \$281,601 from this appropriation for livestock research which is consistent with the recommendation of the Livestock Health Advisory Council.

14 1 c. Cooperative extension service in agriculture and home
 14 2 economics
 14 3 For salaries, support, maintenance, miscellaneous purposes,
 14 4 and for not more than the following full-time equivalent
 14 5 positions:
 14 6 \$ 16,037,000
 14 7 FTEs 446.07

General Fund appropriation to ISU for the Cooperative Extension Program.

DETAIL: This is an increase of \$144,813 and 8.84 FTE positions compared to the estimated net FY 1992 appropriation.

14 8 Of the funds appropriated in this lettered paragraph,

Requires \$24,187 to be expended from the Extension

14 9 \$24,187 shall be expended for a child farm safety program.

Program appropriation on a Child Farm Safety Program.

14 10 d. Fire service education

General Fund appropriation to ISU for the Fire Service Education Program.

14 11 For salaries and support and for not more than the
14 12 following full-time equivalent positions:

14 13 \$ 397,000
14 14 FTEs 11.66

DETAIL: This is an increase of \$3,026 and 0.44 FTE position compared to the estimated net FY 1992 appropriation.

14 15 e. Leopold center

General Fund appropriation to ISU for the Leopold Center.

14 16 For agricultural research grants at Iowa state university
14 17 under section 266.398:

14 18 \$ 572,000

DETAIL: This is an increase of \$4,083 and a decrease of 7.52 FTE positions compared to the estimated net FY 1992 appropriation.

14 19 4. UNIVERSITY OF NORTHERN IOWA

14 20 a. For salaries, support, maintenance, equipment,
14 21 miscellaneous purposes, and for not more than the following
14 22 full-time equivalent positions:

14 23 \$ 58,338,189
14 24 FTEs 1,382.93

General Fund appropriation to the University of Northern Iowa (UNI) for the general operating budget.

DETAIL: This is an increase of \$2,585,624 and a decrease of 15.59 FTE positions compared to the estimated net FY 1992 appropriation. This includes:

1. \$108,050 for child care.
2. \$332,200 for IMAGES.
3. \$736,500 for the Decision-Making Institute and Applied Technology Program.

14 25 b. Recycling and reuse center:

General Fund appropriation for the UNI Recycle and Reuse Center.

14 26 \$ 244,638

DETAIL: This is a new appropriation for FY 1993.

14 27 5. STATE SCHOOL FOR THE DEAF

General Fund appropriation to the Iowa School for the Deaf (ISD)

14 28 For salaries, support, maintenance, miscellaneous purposes,

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14 29 and for not more than the following full-time equivalent
 14 30 positions:
 14 31 \$ 5,744,000
 14 32 FTEs 122.99

DETAIL: This is an increase of \$50,508 and a decrease of 2.96 FTE positions compared to the estimated net FY 1992 appropriation. This includes \$10,000 for the Iowa Hall of Fame **for** the Deaf.

14 33 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
 14 34 For salaries, support, maintenance, miscellaneous purposes,
 14 35 and for not more than the following full-time equivalent
 15 1 positions:
 15 2 \$ 3,201,000
 15 3 FTEs 89.75

General Fund appropriation to the Iowa Braille and Sight Saving School (IBSSS).

DETAIL: This is an increase of \$64,504 and a decrease of 2.70 FTE positions compared to the estimated net FY 1992 appropriation. This includes \$40,000 for a new bus.

15 4 7. TUITION AND TRANSPORTATION COSTS
 15 5 For payment to local school boards for the tuition and
 15 6 transportation costs of students residing in the Iowa braille
 15 7 and sight saving school and the state school for the deaf
 15 8 pursuant to section 262.43 and for payment of certain clothing
 15 9 and transportation costs for students at these schools
 15 10 pursuant to section 270.5:
 15 11 \$ 7,000

General Fund appropriation for the tuition and transportation costs of students attending the ISD and IBSSS.

DETAIL: This is a decrease of \$11,391 compared to the estimated net FY 1992 appropriation. A supplemental appropriation of \$11,199 for FY 1992 was provided in SF 2367 (FY 1992 Adjustments and Salaries Bill) for these costs.

15 12 Sec. 11. Reallocations of sums received under section 10,
 15 13 subsections 2, 3, 4, 5, and 6, of this Act, including sums
 15 14 received for salaries, shall be reported on a quarterly basis
 15 15 to the co-chairpersons and ranking members of the legislative
 15 16 fiscal committee and the joint education appropriations
 15 17 subcommittee.

Requires the Board of Regents to report reallocations on a quarterly basis.

15 18 Sec. 12. For the fiscal year beginning July 1, 1992, the
 15 19 state board of regents may use notes, bonds, or other
 15 20 evidences of indebtedness issued under section 262.48 to
 15 21 finance projects that will result in energy cost savings in an
 15 22 amount that will cause the state board to recover the cost of
 15 23 the projects within an average of six years.

Permits the Board of Regents to use indebtedness to finance projects for energy cost savings.

15 24 Sec. 13. The department of human services shall implement
 15 25 a supplemental disproportionate share adjustment applicable to
 15 26 state-owned acute care hospitals with more than five hundred
 15 27 beds and shall reimburse qualifying hospitals pursuant to that
 15 28 adjustment with a supplemental amount for services provided
 15 29 medical assistance recipients. The adjustment shall generate
 15 30 payments intended to equal the state appropriation made to a
 15 31 qualifying hospital for treatment of indigent patients as
 15 32 provided in chapter 255. To the extent of the supplemental
 15 33 disproportionate share adjustment payments, a qualifying
 15 34 hospital shall, after receipt of the funds, transfer to the
 15 35 department of human services an amount equal to the actual
 16 1 supplemental payments that were made in that month. The
 16 2 aggregate amounts for a fiscal year shall not exceed the state
 16 3 appropriation made to the qualifying hospital for treatment of
 16 4 indigent patients as provided in chapter 255. If 1992 Iowa
 16 5 Acts, Senate File 2351, becomes law, the department of human
 16 6 services shall deposit the portion of these funds equal to the
 16 7 state share in the department's medical assistance account and
 16 8 the balance shall be credited to the cash reserve fund created
 16 9 under section 8.56, and if 1992 Iowa Acts, Senate File 2351,
 16 10 does not become law, the department of human services shall
 16 11 deposit the portion of these funds equal to the state share in
 16 12 the department's medical assistance account and the balance is
 16 13 transferred and appropriated to the department of management
 16 14 to be spent for the purpose of eliminating Iowa's GAAP
 16 15 deficit. As used in this section, GAAP means generally
 16 16 accepted accounting principles as established by the
 16 17 governmental accounting standards board. To the extent that
 16 18 state funds appropriated to a qualifying hospital for the
 16 19 treatment of indigent patients as provided in chapter 255 have
 16 20 been transferred to the department of human services as a
 16 21 result of these supplemental disproportionate share payments
 16 22 made to the qualifying hospital, the department shall not,
 16 23 directly or indirectly, recoup the supplemental
 16 24 disproportionate share adjustment payments made to a

Specifies procedures for SUI and the DHS regarding the Supplemental Disproportionate Share Payment System permitted by the federal government. The process permits the appropriation for the Indigent Care Program and the allocation for the College of Medicine to be used as funding to draw additional federal monies from Medicaid. This may increase federal receipts by \$17.7 million.

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16 25 qualifying hospital for any reason, unless an equivalent
 16 26 amount of the funds transferred to the department of human
 16 27 services by a qualifying hospital pursuant to this provision
 16 28 is transferred to the qualifying hospital by the department.
 16 29 If the state supplemental amount allotted to the state of
 16 30 Iowa for the federal fiscal year beginning October 1, 1992,
 16 31 and ending September 30, 1993, pursuant to section 1923 (f)(3)
 16 32 of the federal Social Security Act, as amended, is greater
 16 33 than the amount necessary to fund the federal share of the
 16 34 supplemental disproportionate share payments specified in the
 16 35 preceding paragraph, the department of human services shall
 17 1 increase the supplemental disproportionate share adjustment by
 17 2 the lesser of the amount necessary to utilize fully the state
 17 3 supplemental amount or the amount of state funds appropriated
 17 4 to the university of Iowa general education fund and allocated
 17 5 by the university for the college of medicine. The university
 17 6 of Iowa shall transfer from the allocation for the college of
 17 7 medicine to the department of human services, on a monthly
 17 8 basis, an amount equal to the additional supplemental
 17 9 disproportionate share payments made during the previous month
 17 10 pursuant to this paragraph, A qualifying hospital receiving
 17 11 supplemental disproportionate share payments pursuant to this
 17 12 paragraph that are greater than the state appropriation made
 17 13 to the qualifying hospital for treatment of indigent patients
 17 14 as provided in chapter 255 shall be obligated as a condition
 17 15 of its participation in the medical assistance program to
 17 16 transfer to the university of Iowa general education fund on a
 17 17 monthly basis an amount equal to the funds transferred by the
 17 18 university of Iowa to the department of human services. To
 17 19 the extent that state funds appropriated to the university of
 17 20 Iowa and allocated for the college of medicine have been
 17 21 transferred to the department of human services as a result of
 17 22 these supplemental disproportionate share payments made to the
 17 23 qualifying hospital, the department shall not, directly or
 17 24 indirectly, recoup these supplemental disproportionate share
 17 25 adjustment payments made to a qualifying hospital for any
 17 26 reason, unless an equivalent amount of the funds transferred

17 27 to the department of human services by the university of Iowa
17 28 pursuant to this paragraph is transferred to the qualifying
17 29 hospital by the department.

17 30 It is the intent of the general assembly that any
17 31 implementation of the supplemental disproportionate share
17 32 adjustment shall preserve the funds available to the
17 33 university hospital for medical and surgical treatment of
17 34 indigent patients as provided in chapter 255 and to the
17 35 university of Iowa for the educational purposes of the college
18 1 of medicine at the same level as provided by the state funds
18 2 initially appropriated for that purpose.

18 3 The department of human services shall, in any compilation
18 4 of data or other report distributed to the public concerning
18 5 payments to providers under the medical assistance program,
18 6 set forth reimbursements to a qualifying hospital through the
18 7 supplemental disproportionate share adjustment as a separate
18 8 item and shall not include such payments in the amounts
18 9 otherwise reported as the reimbursement to a qualifying
18 10 hospital for services to medical assistance recipients.

18 11 For purposes of this section, supplemental
18 12 disproportionate share payment means a supplemental payment
18 13 amount paid for medical assistance to a hospital qualifying
18 14 for that payment under this section.

18.15 DEPARTMENT OF CULTURAL AFFAIRS

18 16 Sec. 14. There is appropriated from the general fund of
18 17 the state to the department of cultural affairs for the fiscal
18 18 year beginning July 1, 1992, and ending June 30, 1993, the
18 19 following amounts, or so much thereof as is necessary, to be
18 20 used for the purposes designated:

18 21 1. ARTS DIVISION

18 22 For salaries, support, maintenance, miscellaneous purposes,
18 23 including funds to match federal grants, for areawide arts and
18 24 cultural service organizations which meet the requirements of
18 25 chapter 303C, and for not more than the following full-time

General Fund appropriation to the Arts Division of the DCA.

DETAIL: This is a decrease of \$49,255 and 1.00 FTE position compared to the estimated net FY 1992

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18 26	equivalent positions:	appropriation.
18 27 \$ 1,047,000	
18 28 FTEs 11.00	
18 29	2. HISTORICAL DIVISION	General Fund appropriation to the Historical Society
18 30	For salaries, support, maintenance, miscellaneous purposes,	of the DCA.
18 31	and for not more than the following full-time equivalent	
18 32	positions:	DETAIL: This is a decrease of \$21,548 and 2.75 FTE
18 33	..... \$ 2,432,000	positions compared to the estimated net FY 1992
18 34	..... FTEs 62.50	appropriation.
18 35	Of the funds appropriated in this subsection, \$10,000 shall	Requires the Historical Division to allocate \$10,000
19 1	be allocated for the operating and maintenance costs of the	to the Plum Grove residence of former Governor Lucas.
19 2	Plum Grove residence of former Governor Lucas.	
19 3	3. ADMINISTRATION	General Fund appropriation to the DCA Administration
19 4	For salaries, support, maintenance, miscellaneous purposes,	Division.
19 5	and for not more than the following full-time equivalent	
19 6	position:	DETAIL: This is a decrease of \$250,911 and 6.00 FTE
19 7	..... \$ 140,000	positions compared to the estimated net FY 1992
19 8	..... FTEs 3.00	appropriation.
		INTENT: The 3.00 FTE positions remaining include the
		Director, Executive Assistant, and Administrative
		Secretary/Fiscal Officer.
19 9	4. COMMUNITY CULTURAL GRANTS	General Fund appropriation to the DCA for the
19 10	For planning and programming for the community cultural	Community Cultural Grant Program.
19 11	grants program established under section 303.3:	
19 12	..... \$ 720,000	DETAIL: This is a decrease of \$31,821 compared to
		the estimated net FY 1992 appropriation.
		INTENT: The DCA shall expend at least \$192,000 for
		Cultural Enrichment Grants.
19 13	Not more than one percent of moneys appropriated for grants	Requires the DCA not to expend more than 1.0% of the
19 14	under this section shall be used for administrative purposes.	funds appropriated for grants on administration.

19 15 OFFICE OF THE GOVERNOR

19 16 Sec. 15. TERRACE HILL COMMISSION

19 17 There is appropriated from the general fund of the state to
19 18 the office of the governor for the fiscal year beginning July
19 19 1, 1992, and ending June 30, 1993, the following amounts, or
19 20 so much thereof as is necessary, to be used for the purposes
19 21 designated:

19 22 For salaries, support, maintenance, miscellaneous purposes,
19 23 for the operation of Terrace Hill, and for not more than the
19 24 following full-time equivalent positions:

19 25	\$	161,000
19 26	FTEs	4.75

General Fund appropriation to the Terrace Hill Commission.

DETAIL: This is a decrease of \$432 and an increase of 0.50 FTE position compared to the estimated net FY 1992 appropriation. The Terrace Hill Commission is transferred to the Governor's Office from the DCA.

19 27 Sec. 16. Any moneys contained in the artist endowment fund
19 28 shall revert and be transferred to the general fund of the
19 29 state on June 30, 1992.

Requires the funds in the Artist Endowment Fund to revert to the General Fund on June 30, 1992.

19 30 Sec. 17. Notwithstanding section 8.33, funds appropriated
19 31 in 1991 Iowa Acts, chapter 267, section 210, subsection 1,
19 32 paragraph b, remaining unencumbered or unobligated on June
19 33 30, 1992, shall not revert to the general fund of the state
19 34 but shall be available for expenditure for the purposes listed
19 35 in section 10, subsection 1, paragraph b, of this Act during
20 1 the fiscal year beginning July 1, 1992, and ending June 30,
20 2 1993.

CODE: Allows unused tuition replacement funds to be carried forward into FY 1993.

20 3 Sec. 18. Notwithstanding section 261.20, of the
20 4 unencumbered or unobligated moneys in the scholarship and
20 5 tuition grant reserve fund, \$33,000 shall be transferred to
20 6 the state board of regents for purposes of the southwest Iowa
20 7 graduate studies center, \$280,040 shall be distributed under
20 8 the Iowa scholarship program, \$11,209 shall be distributed
20 9 under the vocational-technical tuition grant program, and
20 10 \$26,293 shall be distributed under the work-study program by ..
20 11 the college student aid commission.

CODE: Requires the funds remaining in the Tuition Grant Reserve Fund to be expended in FY 1993 for the Vocational-Technical Tuition Grant Program, the State Scholarship Program, the College Work-Study Program, and the Southwest Iowa Graduate Studies Center.

20 12 Sec. 19. Notwithstanding section 294A.25, for the fiscal
 20 13 year beginning July 1, 1992, the additional funds transferred
 20 14 from phase I to phase III may be used by the department of
 20 15 education for management information systems, the center for
 20 16 assessment, and the Iowa geography alliance. However, moneys
 20 17 transferred under this section shall not exceed \$275,000. The
 20 18 department shall notify the legislative fiscal bureau as to
 20 19 the distribution of moneys for these programs.

CODE: In FY 1993, up to \$275,000 of the funds transferred from Phase I to Phase III may be used by the DE for a management information system, Center for Assessment, and the Iowa Geography Alliance. Requires the DE to report the distribution to the Legislative Fiscal Bureau.

DETAIL: Funds unexpended in Phase I because of a decline in the number of teachers covered under Phase I is transferred to Phase III. The transfer is estimated to be over \$300,000.

20 20 Sec. 20. Notwithstanding sections 302.1 and 302.1A, for
 20 21 the fiscal year beginning July 1, 1992, and ending June 30,
 20 22 1993, the portion of the interest earned on the permanent
 20 23 school fund that is not transferred to the credit of the first
 20 24 in the nation in education foundation and not transferred to
 20 25 the credit of the national center for gifted and talented
 20 26 education shall be credited as a payment by the historical
 20 27 division of the department of cultural affairs of the
 20 28 principal and interest due on moneys loaned to the historical
 20 29 division under section 303.18.

CODE: Requires that interest earned on the Permanent School Fund not transferred to the First-in-the-Nation-in-Education Foundation or the National Center for Gifted and Talented Education be used to pay principal and interest on moneys borrowed from the Permanent School Fund by the Historical Division.

20 30 Sec. 21. Notwithstanding section 321.376, the annual
 20 31 budget request requirement is suspended for the fiscal year
 20 32 ending June 30, 1993, and the moneys collected from fees for
 20 33 the issuance of a school bus driver's permit for the fiscal
 20 34 year beginning July 1, 1992, and ending June 30, 1993, shall
 20 35 be deposited in the department of education's operating fund
 21 1 for the purposes designated under section 321.376, subsection
 21 2 3.

CODE: Allows DE to deposit the fees collected for the issuance of school bus driver's permits into their operating fund for establishing and conducting approved courses of instruction for school bus drivers and for school bus passenger safety programs. This is only for FY 1993.

DETAIL: In the 1991 Session, the General Assembly required the DE to charge \$5.00 for the issuance of school bus driver's permit. The funds are to be used to establish school bus passenger safety programs. The DE was required to submit a separate annual

21 3 [Sec. 22. 1992 Iowa Acts, Senate File 2116, section 100, **VETOED**
 21 4 subsection 8, is amended to read as follows:
 21 5 8. Appropriations made to school corporations in chapter
 21 6 257 for state aid to school districts and ~~chapter 286A~~ in 1991
 21 7 Iowa Acts, chapter 267, section 201, subsections 9 and 10, for
 21 8 state aid to ~~area schools~~ merged areas shall not be reduced
 21 9 under subsection 1.]

budget request on how the fees would be spent. The DE failed to submit a budget request.

CODE: Amends SF 2116, the first FY 1992 Supplemental Bill, to clarify that the appropriations for community colleges were to be exempt from the mandated across-the-board reduction.

VETOED: The Governor vetoed this section, stating that the adjustment has already been implemented, and to reverse the action would require a corresponding adjustment to other agency budgets late in FY 1992.

21 10 Sec. 23. Section 8.29, unnumbered paragraph 4, Code 1991,
 21 11 is amended to read as follows:
 21 12 The state board of regents, with the approval of the
 21 13 director of the department of management, shall establish a
 21 14 uniform budgeting and accounting system for the institutions
 21 15 of higher education under its control, and shall require each
 21 16 of the institutions of higher education to begin operating
 21 17 under the uniform system not later than June 30, ~~1976~~ 1994.

CODE: Requires the Board of Regents to establish a uniform budgeting and accounting system for the institutions of higher education.

DETAIL: This is current law and is being amended to reflect the change in the year which the uniform system is being required. The Board of Regents has not adopted the uniform budgeting and accounting system since the 1976 requirement.

21 18 Sec. 24. Section 18.136, subsection 3, Code 1991, is
 21 19 amended to read as follows:
 21 20 3. The financing for the procurement costs for the
 21 21 entirety of Part I of the system, and the video, data, and
 21 22 voice capacity for state agencies for Part II and Part III of
 21 23 the system, shall be provided by the state. The financing for
 21 24 the procurement costs for Part II of the system shall be
 21 25 provided eighty percent from the state and twenty percent from
 21 26 the community colleges for the areas in which Part II of the
 21 27 system is located. The basis for the state match is eighty
 21 28 percent of a single interactive video and interactive audio
 21 29 for Parts I and II of the system, and such data and voice. .
 21 30 capacity as is necessary. The financing for the procurement
 21 31 and maintenance costs for Part III of the system shall be

CODE: Defines the communications equipment funds used as a match for the State Communications Network as expenditures for capital, equipment, hardware, and software, including audio and visual transmission.

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21 32 provided eighty percent from the state and twenty percent from
 21 33 the local school boards of the areas which receive
 21 34 transmissions from the system. The local school boards may
 21 35 meet all **or** part of the match requirements of Part III of the
 22 1 system through a cooperative arrangement with community
 22 2 colleges. The basis for the state match is eighty percent of
 22 3 a single interactive audio and one-way video for Part III of
 22 4 the system, and such data and voice capacity as is necessary.
 22 5 The local school boards and community colleges may meet the
 22 6 match requirements for Part II and Part III of the system from
 22 7 funds they have already spent for their systems, from funds
 22 8 available in the school budget, **or** from funds received from
 22 9 other nonstate sources. In the case of existing systems, in
 22 10 order to upgrade facilities to the specifications of the state
 22 11 communications network, the local school boards and community
 22 12 colleges, in lieu of a cash match, may meet the match
 22 13 requirements from funds they have already spent for their
 22 14 systems provided that the state match does not exceed the
 22 15 lesser of eighty percent of the total cost of the upgraded
 22 16 system or eighty percent of the replacement cost of the
 22 17 system. The communications equipment funds used as a match by
 22 18 a community college shall be calculated based on verified
 22 19 expenditures for capital, equipment, hardware, and software
 22 20 for long-distance learning technologies, including both audio
 22 21 and visual transmission. The communications equipment used as
 22 22 a match shall not subsequently be used as a match by another
 22 23 educational entity **or** for another part of the system. A local
 22 24 school board may request the school budget review committee to
 22 25 adjust the allowable growth for the school district *so* that
 22 26 the resulting increase in budget could be used for the match.
 22 27 A local school board may also elect not to become part of the
 22 28 system. Such election shall be made on an annual basis.
 22 29 State matching funds shall not be provided for Part III of the
 22 30 system until Part I and Part II of the system have been
 22 31 completed.

22 32 Sec. 25. Section 176A.10, subsection 6, unnumbered

CODE: Clarifies the fiscal years for the levy and

22 33 paragraph 1, Code Supplement 1991, is amended to read as
 22 34 follows:
 22 35 An extension council of an extension district may choose to
 23 1 be subject to the levy and revenue limits specified in
 23 2 paragraphs b of subsections 1, 2, 3, and 4 and subsection 5
 23 3 for the purpose of the annual levy for the fiscal year
 23 4 commencing July 1, 1991, which levy is payable in the fiscal
 23 5 year beginning July 1, 1992. Before an extension district may
 23 6 be subject to the levy and revenue limits specified in
 23 7 paragraphs b of subsections 1, 2, 3, and 4 and subsection 5,
 23 8 for fiscal years beginning on or after July 1, 1992, which
 23 9 levy is payable in fiscal years beginning on or after July 1,
 23 10 1993, the auestion of whether the district shall be subject to
 23 11 the levy and revenue limits as specified in such subsections
 23 12 must be submitted to the registered voters of the district.
 23 13 The question shall be submitted at the time of a state general
 23 14 election. If the question is approved by a majority of those
 23 15 voting on the question the levy and revenue limits specified
 23 16 in paragraphs b of subsections 1, 2, 3, and 4 and subsection
 23 17 5, shall thereafter apply to the extension district. The
 23 18 question need only be approved at one state general election.
 23 19 If a majority of those voting on the question vote against the
 23 20 question, the district may continue to submit the question at
 23 21 subsequent state general elections until approved.

revenue limits of extension councils of extension districts.

23 22 Sec. 26. Section 256.7, Code Supplement 1991, is amended
 23 23 by adding the following new subsection:
 23 24 NEW SUBSECTION. 22. Receive and review the budget and
 23 25 unified plan of service submitted by the division of libraries
 23 26 and information services.

CODE: Requires the State Board of Education to review the budget and a unified plan of service for the new Division of Libraries and Information Services.

23 27 Sec. 27. Section 256.9, Code Supplement 1991, is amended
 23 28 by adding the following new subsections:
 23 29 NEW SUBSECTION. 46. Serve as an ex officio member of the
 23 30 commission of libraries.
 23 31 NEW SUBSECTION. 47. Receive, from the division of public
 23 32 broadcasting, and submit an annual public broadcasting budget

CODE: Adds the following duties to the Director of Education:

1. Ex officio member of the library commission.
2. Receive a budget request from Iowa Public Television (IPTV) and submit a separate request

23 33 request separately from the department's annual budget
23 34 request.

23 35 NEW SUBSECTION. 48. Establish a division of libraries and
24 1 information services, a public broadcasting division, and a
24 2 regional library system, to perform the duties and exercise
24 3 the responsibilities enumerated in section 256.22.

24 4 Sec. 28. NEW SECTION. 256.22 LIBRARY DIVISION, REGIONAL
24 5 LIBRARY SYSTEM, LIBRARY COMPACT, STATE DATA CENTER, AND PUBLIC
24 6 BROADCASTING DIVISION.

24 7 Notwithstanding sections 7E.5, 15.108, 15.272, 18.87,
24 8 18.97, 18.100, 218.22, 246.601, 303.1, 303.1A, 303.2, 303.75
24 9 through 303.85, 303.91 through 303.94, 303A.8 through 303A.11,
24 10 chapter 303B, and any provisions to the contrary, the
24 11 department of education, and its director, shall perform the
24 12 duties and exercise the authority delegated to the department
24 13 of cultural affairs, and its director, for purposes of
24 14 administering the library division, the regional library
24 15 system, the state data center, the public broadcasting
24 16 division, and the library compact. Any authority of the
24 17 department of cultural affairs to adopt rules for the library
24 18 division, the regional library system, the state data center,
24 19 and library compact is transferred to the state board of
24 20 education.

24 21 [Sec. 29. Section 261.1, subsection 5, unnumbered paragraph **VETOED**
24 22 1, Code Supplement 1991, is amended to read as follows:
24 23 Eight Ten additional members to be appointed by the
24 24 governor. One of the members shall be selected to represent
24 25 private colleges, private universities and private junior
24 26 colleges located in the state of Iowa. When appointing this
24 27 member, **the** governor shall give careful consideration to any
24 28 person or persons nominated or recommended by any organization
24 29 or association of some or all private colleges, private
24 30 universities and private junior colleges located in the state
24 31 of Iowa. One of the members shall be selected to represent
24 32 community colleges located in the state of Iowa. When

for IPTV.

3. Establish a new Division of Libraries and Information Services, a Public Broadcasting Division, and a Regional Library System.

CODE: Transfers the State Library, Regional Library System, Library Compact, State Data Center and IPTV to the DE from the DCA.

DETAIL: The State Library and Regional Library appropriations are in the DE Administration appropriation. IPTV has a separate appropriation under the DE.

CODE: Adds 2 members to the CSAC.

DETAIL: The result of this change would provide for 3 student members on the CSAC, including the Executive Director of the organization or association that represents the students at the institutions of higher education under the control of the Board of Regents, a student enrolled at an accredited private institution, and a student enrolled at a community college.

VETOED: The Governor vetoed this section, stating

24 33 ~~appointing this member, the governor shall give careful~~
 24 34 ~~consideration to any person or persons nominated or~~
 24 35 ~~recommended by any organization or association of Iowa~~
 25 1 ~~community colleges.~~ One member shall be the executive
 25 2 director of the organization or association that represents
 25 3 all of the students attending the institutions of higher
 25 4 education under the control of the state board of regents.
 25 5 One member shall be enrolled as a student at a ~~board of~~
 25 6 ~~regents institution, community college, or.~~ ~~One member shall~~
 25 7 ~~be enrolled as a student at an~~ accredited private institution.
 25 8 One member shall be a representative of a lending institution
 25 9 located in this state. One member shall be a representative
 25 10 of the Iowa student loan liquidity corporation. The other
 25 11 three members, none of whom shall be official board members or
 25 12 trustees of an institution of higher learning or of an
 25 13 association of institutions of higher learning, shall be
 25 14 selected to represent the general public.]

that 1 student representative currently serves as a member of the Commission and because the Commission is committed to strengthening relationships with students and student organizations.

25 15 Sec. 30. Section 261.25, subsections 1, 2, and 3, Code
 25 16 Supplement 1991, are amended to read as follows:

25 17 1. There is appropriated from the general fund of the
 25 18 state to the commission for each fiscal year the sum of
 25 19 ~~thirty-two million four hundred eighty~~ thirty-one million one
 25 20 hundred forty-six thousand eight hundred sixty-seven dollars
 25 21 for tuition grants.

CODE: General Fund appropriation to the CSAC for the Tuition Grant Program.

DETAIL: This is the same funding level compared to the estimated net FY 1992 appropriation.

25 22 2. There is appropriated from the general fund of the
 25 23 ~~state~~ to the commission for each fiscal year the sum of ~~eight~~
 25 24 ~~hundred thirteen~~ five hundred five thousand eight hundred
 25 25 eighty-two dollars for scholarships.

CODE: General Fund appropriation to the CSAC for the State Scholarship Program.

DETAIL: This is a decrease of \$273,748 compared to the estimated net FY 1992 appropriation. A transfer of \$280,040 from the Tuition Reserve Fund in Section 18 of this Act, results in a net increase of \$6,292 compared to the estimated net FY 1992 appropriation.

25 26 3. There is appropriated from the general fund of the

CODE: General Fund appropriation to the CSAC for the

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25 27 25 28 25 29	state to the commission for each fiscal year the sum of one million three hundred fifteen two hundred sixty-one thousand dollars for vocational-technical tuition grants.	Vocational-Technical Tuition Grant Program. DETAIL: This is a decrease of \$25 compared to the estimated net FY 1992 appropriation. A transfer of \$11,209 from the Tuition Reserve Fund results in a net increase of \$11,184 compared to the estimated net FY 1992 appropriation.
25 30 25 31 25 32 25 33 25 34 25 35 26 1 26 2 26 3 26 4 26 5 26 6 26 7 26 8 26 9 26 10 26 11 26 12 26 13 26 14 26 15 26 16 26 17 26 18 26 19 26 20 26 21 26 22 26 23	<p>Sec. 31. Section 261.38, subsection 7, Code Supplement 1991, is amended to read as follows: ,</p> <p>7. The commission may expend funds in the reserve account to and enter into agreements which with the Iowa student loan liquidity corporation in order to increase access for students to a education loan program for guaranteed loans which are not subsidized by the federal government programs that the commission determines meet the education needs of Iowa residents. The agreements shall permit the establishment, funding, and operation of alternative education loan programs as described in section 144(b)(1)(B) of the Internal Revenue Code of 1986 as amended, as defined in section 422.3. in addition to programs permitted under the federal Higher Education Act of 1965. In accordance with those agreements, the Iowa student loan liquidity corporation may issue bonds, notes, or other obligations to the public and others for the purpose of funding the alternative education loan programs. This authority to issue such bonds, notes, or other obligations shall be in addition to the authority established in the articles of incorporation and bylaws of the Iowa student loan liquidity corporation.</p> <p>Bonds, notes, or other obligations issued by the Iowa student loan liquidity corporation are not an obligation of this state or any political subdivision of this state within the meaning of any constitutional or statutory debt limitations, but are special obligations of the Iowa student loan liquidity corporation, and the corporation shall not pledge the credit or taxing power of this state or any political subdivision of this state, or make its debts payable</p>	<p>CODE: Permits the Iowa Student Loan Liquidity Corporation to issue bonds or notes for funding the alternative education loan programs.</p>

26 24 out of any of the moneys except those of the corporation.

26 25 Sec. 32. Section 261.47, Code 1991, is amended by adding
 26 26 the following new unnumbered paragraph after subsection 4:
 26 27 NEW UNNUMBERED PARAGRAPH. Priority for loan reimbursement
 26 28 payments shall be given to eligible nurses who currently
 26 29 practice in an area of the state that is determined by the
 26 30 college student aid commission to demonstrate a nursing
 26 31 shortage, and shall be based upon the nurses' level of
 26 32 educational debt.

CODE: Requires that the Nurses Loan Repayment Program give priority to those nurses working in an area of the State which has a nursing shortage and having a level of educational debt.

26 33 Sec. 33. Section 261.85, unnumbered paragraph 1, Code
 26 34 Supplement 1991, is emended to read as follows:
 26 35 There is appropriated from the general fund of the state to
 27 1 the commission for each fiscal year the sum of ~~three million~~
 27 2 eight-five two million nine hundred fifty-eight thousand
 27 3 dollars for the work-study program.

CODE: General Fund appropriation to the CSAC for the College Work-Study Program.

DETAIL: This is a decrease of \$18,542 compared to the estimated net FY 1992 appropriation. A transfer of \$26,293 from the Tuition Reserve Fund results in a net increase of \$7,751 compared to the estimated net FY 1992 appropriation.

27 4 [Sec. 34. Section 262.9, subsection 15, Code Supplement **VETOED**
 27 5 1991, is amended by striking the subsection.]

CODE: Strikes the provision which permits the Board of Regents to employ attorneys for certain legal matters.

VETOED: The Governor vetoed this section, stating that the Board of Regents needs to retain the flexibility to employ attorneys for collective bargaining and related responsibilities.

27 6 Sec. 35. Section 262.9, subsection 24, Code Supplement
 27 7 1991, is amended to read as follows:
 27 8 24. By July 1, 1991, develop a policy which requires oral
 27 9 communication competence of persons who provide instruction to
 27 10 students attending institutions under the control of the
 27 11 board. The policy shall include a student evaluation
 27 12 mechanism which requires student evaluation of persons
 27 13 providing instruction ~~at the end of each academic period~~ on at

CODE: Changes the requirement of student evaluations for oral communication competence at the institutions of higher education under the control of the Board of Regents from each academic period to, at least annually.

27 14 least an annual basis.

27 15 [Sec. 36. Section 262.9, Code Supplement 1991, is amended **VETOED**
 27 16 by adding the following new subsection:
 27 17 NEW SUBSECTION. 27. Establish a policy by which the
 27 18 institutions of higher education under its control shall
 27 19 charge fees for specific services provided by the institutions
 27 20 to the nonstudent population.]

CODE: Requires the Board of Regents to adopt a fee policy for services provided to the nonstudent population.

VETOED: The Governor vetoed this section, stating that the Board of Regents has sufficient authority to establish policies regarding fees.

27 21 [Sec. 37. NEW SECTION. 262.29A LEGAL COUNSEL. **VETOED**
 27 22 The legal counsel to the board and its member institutions
 27 23 shall be an assistant attorney general appointed by the
 27 24 attorney general who shall perform and supervise the legal
 27 25 work of the board. The salary of the assistant shall be fixed
 27 26 by the attorney general, subject to the approval of the board.
 27 27 The attorney general shall appoint additional assistant
 27 28 attorneys general as necessary. The board shall reimburse the
 27 29 attorney general for the salary and necessary expenses for
 27 30 each assistant attorney assigned to the board and upon the
 27 31 request of the attorney general the board shall provide and
 27 32 equip a suitable office and the necessary secretarial
 27 33 assistance to perform these duties. **1**

CODE: Requires the Board of Regents to use attorneys from the Office of the Attorney General.

VETOED: The Governor vetoed this section, stating that the Board of Regents retains legal counsel as needed, and it is not necessary to direct the Attorney General to assign staff to the Board for this purpose.

27 34 Sec. 38. NEW SECTION. 262.34A BID REQUESTS.
 27 35 The state board of regents shall request bids and proposals
 28 1 for materials, products, supplies, provisions, and other
 28 2 needed articles to be purchased at public expense, from Iowa
 28 3 state industries as defined in section 246.802, subsection 2,
 28 4 when the articles are available in the requested quantity and
 28 5 at comparable prices and quality.

CODE: Requires the Board of Regents to request bids for certain articles being purchased and to specifically request bids from Iowa State Industries (Prison Industries) under certain conditions.

28 6 Sec. 39. NEW SECTION. 262.348 STUDENT FEE COMMITTEE.
 28 7 1. A student fee committee composed of five students and
 28 8 five university employees shall be established at each of the
 28 9 universities governed by the board as identified in section
 28 10 262.7, subsections 1 through 3. The five student members of

CODE: Specifies the procedure which is required to take place at the institutions of higher education under the control of the Board of Regents before changes in student fees can take place.

28 11 the student fee committee of each university shall be
 28 12 appointed by the recognized student government organization of
 28 13 each university. The five university employees shall be
 28 14 appointed by the president of the university.

28 15 2. The student fee committee shall consider any proposed
 28 16 student activity changes at the university and shall make
 28 17 recommendations concerning student activity fee changes to the
 28 18 president of the affected university for review no later than
 28 19 April 15 of the year which includes the subsequent academic
 28 20 period in which the proposed fee change will take effect. The
 28 21 student fee committee shall provide a copy of its
 28 22 recommendations to the recognized student government
 28 23 organizations at each university and those organizations may
 28 24 review the recommendations and provide comment to the
 28 25 president of the university and the state board of regents.
 28 26 The president of the university shall transmit the
 28 27 recommendations of the student fee committee and the
 28 28 president's endorsement or recommendation to the state board
 28 29 of regents for consideration. The president of the university
 28 30 shall transmit a copy of the president's endorsement or
 28 31 recommendation to the recognized student government
 28 32 organizations for the university.

28 33 3. The state board of regents shall make the final
 28 34 decision on student activity fee changes. The state board of
 28 35 regents shall forward a copy of the committee's
 29 1 recommendations, the president's endorsement or
 29 2 recommendation, the recognized student government
 29 3 organization's comments, and its decision regarding student
 29 4 activity fee changes to the chairpersons and ranking members
 29 5 of the joint education appropriations subcommittee.

29 6 4. This section does not apply to fees charged for
 29 7 purposes of acquisition or construction of self-liquidating
 29 8 and revenue-producing buildings and facilities under sections
 29 9 262.35 through 262.42, 262.44 through 262.53, and 262.55
 29 10 through 262.66; or acquiring, purchasing, leasing, or
 29 11 constructing buildings and facilities under chapter 262A.

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29 12 Sec. 40. Section 267.5, subsection 3, Code 1991, is
 29 13 amended to read as follows:
 29 14 3. Make recommendations to the Iowa State University
 29 15 college of veterinary medicine concerning the application of
 29 16 funds appropriated ~~by this chapter~~ to the college of
 29 17 veterinary medicine. The Iowa State University college of
 29 18 veterinary medicine shall not expend any of the funds
 29 19 appropriated by this chapter until the recommendation of the
 29 20 council concerning that appropriation is adopted or sixty days
 29 21 following the effective date of the appropriation, whichever
 29 22 is earlier.

CODE: Specifies that the Livestock Health Advisory Council recommends how the ISU College of Veterinary Medicine uses the funds appropriated for Livestock Disease Research.

29 23 Sec. 41. Section 275.1, unnumbered paragraph 1, Code 1991,
 29 24 is amended to read as follows:

29 25 It is the policy of the state to encourage economical and
 29 26 efficient school districts which will ensure an equal
 29 27 educational opportunity to all children of the state. All
 29 28 areas of the state shall be in school districts maintaining
 29 29 kindergarten and twelve grades. If a school district ceases
 29 30 to maintain kindergarten and twelve grades except as otherwise
 29 31 provided in section 28E.9, 256.13, 280.15, 282.7, subsection 1
 29 32 or subsections 1 and 3, or 282.8, it shall reorganize within
 29 33 six months or the state board shall attach the school district
 29 34 not maintaining kindergarten and twelve grades to one or more
 29 35 adjacent districts. Voluntary reorganizations under this
 30 1 chapter shall be commenced only if the affected school
 30 2 districts are contiguous or marginally adjacent to one
 30 3 another. A reorganized district shall meet the requirements
 30 4 of section 275.3.

CODE: Allows school districts to have voluntary reorganization if the school districts are marginally adjacent to one another.

30 5 Sec. 42. Section 275.1, Code 1991, is amended by adding
 30 6 the following new subsection:

30 7 NEW SUBSECTION. 4. Marginally adjacent district or
 30 8 marginally adjacent territory means a district or territory
 30 9 which is separated from a second district or territory by
 30 10 property which is part of a third school district which
 30 11 completely surrounds one of the two districts.

CODE: Defines a marginally adjacent district or territory.

30 12 **Sec. 43.** Section 275.4, unnumbered paragraph 2, Code 1991,
 30 13 is amended to read as follows:
 30 14 In addition, the area education agency board shall consult
 30 15 with the ~~commissioner of public instruction~~ director of the
 30 16 department of education in the development of surveys and
 30 17 plans. The ~~commissioner of public instruction~~ director of the
 30 18 department of education shall provide assistance to the area
 30 19 education agency boards as requested and shall advise the area
 30 20 education agency boards concerning plans of contiguous area
 30 21 education agencies and the reorganization policies adopted by
 30 22 the state board of ~~public instruction~~ education.

CODE: Technical correction to change Public Instruction to the DE.

30 23 **Sec. 44.** Section 275.11, Code 1991, is amended to read as
 30 24 follows:
 30 25 275.11 PROPOSALS INVOLVING TWO OR MORE DISTRICTS.
 30 26 Subject to the approval of the area education agency board,
 30 27 contiguous or marginally adjacent territory located in two or
 30 28 more school districts may be united into a single district in
 30 29 the manner provided in sections 275.12 to 275.22 hereof.

CODE: Allows marginally adjacent territory to be united into a single district.

30 30 **Sec. 45.** Section 275.23A, subsection 1, Code 1991, is
 30 31 amended to read as follows:
 30 32 School districts which have directors who represent
 30 33 director districts as provided in section 275.12, subsection
 30 34 2, paragraphs b through e, shall be divided into director
 30 35 districts on the basis of population as determined from the
 31 1 most recent federal decennial census. The director districts
 31 2 shall be as nearly equal as practicable to the ideal
 31 3 population for the districts as determined by dividing the
 31 4 number of director districts to be established into the
 31 5 population of the school district. The director districts
 31 6 shall be composed of contiguous or marginally adjacent
 31 7 territory as compact as practicable.

CODE: Allows director districts to consist of marginally adjacent territory.

31 8 **Sec. 46.** Section 280A.28, Code 1991, is amended to read as
 31 9 follows:

CODE: Allows community colleges to increase the equipment replacement property tax levy from 3 cents

PG LN

House File 2465

Explanation

31 10 280A.28 TAX FOR EQUIPMENT REPLACEMENT AND PROGRAM SHARING.

31 11 1. Annually, the board of directors may certify for levy a
 31 12 tax on taxable property in the merged area at a rate not
 31 13 exceeding three cents per thousand dollars of assessed
 31 14 valuation for equipment replacement for the community college.

31 15 2. However, the board of directors may annually certify
 31 16 for levy a tax on taxable property in the merged area at a
 31 17 rate in excess of the three cents per thousand dollars of
 31 18 assessed valuation specified under subsection 1 if the excess
 31 19 tax levied does not cause the total rate certified to exceed a
 31 20 rate of nine cents per thousand dollars of assessed valuation,
 31 21 and the excess revenue generated is used for purposes of
 31 22 program sharing between community colleges. Programs that are
 31 23 shared shall be designed to increase student access to
 31 24 community college programs and to achieve efficiencies in
 31 25 program delivery at the community colleges, including, but not
 31 26 limited to, the programs described under sections 280A.45 and
 31 27 280A.46. Prior to expenditure of the excess revenues
 31 28 generated under this subsection, the board of directors shall
 31 29 obtain the approval of the director of the department of
 31 30 education.

31 31 3. If the board of directors wishes to certify for a levy
 31 32 under subsection 2, the board shall direct the county
 31 33 commissioner of elections to call an election to submit the
 31 34 question of such authorization for the board at a regular or
 31 35 special election. If a majority of those voting on the
 32 1 question at the election favors authorization of the board to
 32 2 make such a levy, the board may certify for a levy as provided
 32 3 under subsection 2 during each of the ten years following the
 32 4 election. If a majority of those voting on the question at
 32 5 the election does not favor authorization of the board to make
 32 6 a levy under subsection 2, the board shall not submit the
 32 7 question to the voters again until twelve months has lapsed
 32 8 from the election.

32 9 [Sec. 47. Section 280A.50, unnumbered paragraph 1, Code VETOED
 32 10 1991, is amended to read as follows:

to 9 cents per thousand for program sharing between community colleges. The increase requires a referendum of the voters in the district and approval of the Director of the DE.

FISCAL IMPACT: If all community colleges increased the levy to 9 cents per thousand, it will result in a statewide property tax increase of approximately \$4,400,000.

CODE: Defers the start of the Staff Development Account standing appropriation until FY 1994.

32 11 The department of education shall provide for the
 32 12 establishment of a staff development account in the office of
 32 13 treasurer of state for purposes of providing moneys to
 32 14 community colleges for staff development. There is
 32 15 appropriated from the general fund of the state to the
 32 16 department of education on July 1 of each fiscal year
 32 17 beginning July 1, \$992 ~~1993~~, for crediting to the staff
 32 18 development account for each budget year an amount equal to an
 32 19 amount which is five-tenths of one percent of the total state
 32 20 general aid generated under chapter 286A for all community
 32 21 colleges during the base year. In the fiscal years succeeding
 32 22 June 30, \$993 ~~1994~~, an additional five-tenths of one percent
 32 23 shall be added to the percent multiplier, used to determine
 32 24 the appropriation in this section, until that percent
 32 25 multiplier reaches four percent. Once the percent multiplier
 32 26 has reached the four percent level, it shall remain at that
 32 27 level for purposes of calculating the amount to be
 32 28 appropriated in succeeding fiscal years. Moneys appropriated
 32 29 by the general assembly to the department of education for the
 32 30 purpose of the staff development program shall be paid to
 32 31 community colleges upon approval by the department of
 32 32 education of an application submitted by a community college.
 32 33 Funds shall be distributed to a community college based upon
 32 34 the proportion that a college's state general aid paid for the
 32 35 base year bears to the total state general aid paid that year
 33 1 to all community colleges.]

DETAIL: This would appropriate \$559,292 for FY 1993 if not deferred.

NOTE: Section 22 of Senate File 2351, the Expenditure Limitations Bill, also defers the Staff Development Account standing appropriation until FY 1994 and makes the appropriation a standing limited of \$600,000.

VETOED: The Governor vetoed this section, stating that it was in conflict with Section 22 of Senate File 2351.

33 2 Sec. 48. Section **286A.14A**, unnumbered paragraph 1, Code
 33 3 Supplement 1991, is amended to read as follows:
 33 4 The department of education shall provide for the
 33 5 establishment of a community college excellence 2000 account
 33 6 in the office of the treasurer of state for deposit of moneys
 33 7 appropriated to the account for purposes of funding quality
 33 8 instructional centers and program and administrative sharing
 33 9 agreements under sections 280A.45 and 280A.46. There is.
 33 10 appropriated from the general fund of the state to the
 33 11 department of education for the fiscal year beginning July 1,

CODE: Defers the start of the Excellence 2000 Account standing appropriation until FY 1994.

DETAIL: This would appropriate \$3,139,852 for FY 1993 if not deferred.

33 12 ~~1992~~ 1993, an amount equal to two and five-tenths percent of
 33 13 the total state general aid generated for all community
 33 14 colleges during the budget year under this chapter for deposit
 33 15 in the community college excellence 2000 account. In the next
 33 16 succeeding two fiscal years, the percent multiplier shall be
 33 17 increased in equal increments until the multiplier reaches
 33 18 seven and one-half percent of the total state general aid
 33 19 generated for all community colleges during the budget year.

33 20 Sec. 49. Section 294A.25, Code 1991, is amended by adding
 33 21 the following new subsections:

33 22 **NEW SUBSECTION. 5A.** Commencing with the fiscal year
 33 23 beginning July 1, 1992, the amount of three hundred thirty-
 33 24 five thousand dollars from phase III moneys for the support of
 33 25 school transformation pilot projects administered by the
 33 26 department of education. Funds appropriated in this
 33 27 subsection may be used for projects by nonprofit corporations
 33 28 representing a coalition of organizations interested in school
 33 29 improvement in Iowa.

33 30 **NEW SUBSECTION. 6A.** Commencing with the fiscal year **VETOED**
 33 31 beginning July 1, 1993, the amount of one hundred fifty
 33 32 thousand dollars, from additional funds transferred from Phase
 33 33 I to Phase III, for support of family resource centers under
 33 34 the family resource center demonstration program. **3**

CODE: Requires \$335,000 of Phase III funds to be used for school transformation pilot projects administered by the DE. The pilot projects may include nonprofit corporations interested in school improvement in Iowa. Beginning in FY 1994, \$150,000 of Phase I funds transferred to Phase III will be used to support the Family Resource Center Demonstration Program.

INTENT: The DE shall expend \$85,000 of the funds for the school transformation pilot projects on 2.00 FTE positions to assist school restructuring.

DETAIL: The 2.00 FTE positions are included in the appropriation for the DE General Administration.

VETOED: The Governor vetoed a portion of this section, stating that because HF 2467, which established the Family Resource Demonstration Program, directs the DE to review the cost of these projects, it is premature to appropriate funds at this time.

33 35 **[** Sec. 50. Section 303.1, subsection 6, unnumbered paragraph **VETOED**
 34 1 1, Code Supplement 1991, is amended to read as follows:
 34 2 The ~~divisions shall be administered by administrators who~~
 34 3 ~~shall be appointed by the director and serve at the director's~~
 34 4 ~~pleasure. However, the~~ administrator of the public

CODE: Specifies that the administrators of the Arts Council, State Historical Society, State Library, and IPTV be appointed by the respective board, commission, or council and be subject to Senate confirmation for 4 year terms.

34 5 broadcasting division shall be appointed by and serve at the
 34 6 pleasure of the public broadcasting board ~~and the~~ ~~The~~
 34 7 administrator of the library division shall be appointed by
 34 8 and serve at the pleasure of the library commission. The
 34 9 administrator of the historical division shall be appointed by
 34 10 and serve at the pleasure of the state historical society
 34 11 board of trustees. The administrator of the arts division
 34 12 shall be appointed by and serve at the pleasure of the arts
 34 13 council. The administrators shall serve four-year terms
 34 14 beginning and ending as provided in section 69.19 and are
 34 15 subject to senate confirmation as provided in section 2.32.
 34 16 For purposes of this section, the public broadcasting board,
 34 17 the library commission, the state historical society board of
 34 18 trustees, and the arts council, shall assume the duties and
 34 19 responsibilities of the governor enumerated in section 2.32.
 34 20 The administrators shall:]

DETAIL: The Arts Council and Historical Society administrators were previously appointed by the Director of the DCA.

VETOED: The Governor vetoed this section, stating that the Director of the DCA should retain the authority to appoint these administrators.

34 21 Sec. 51. Section 303.2, subsection 3, paragraph f, Code
 34 22 Supplement 1991, is amended to read as follows:
 34 23 f. Shall develop in cooperation with the Iowa regional
 34 24 library system ~~an annual~~ a biennial unified plan of service
 34 25 for the ~~Iowa regional library system and its individual~~
 34 26 ~~members to insure consistency with the state long-range plan~~
 34 27 division of libraries.

CODE: Requires the Library Division to develop a biennial unified plan of service in cooperation with the Regional Libraries.

34 28 [Sec. 52. Section 303.92, subsection 1, Code 1991, is **VETOED**
 34 29 amended to read as follows:
 34 30 1. The state library commission consists of one member
 34 31 appointed by the state supreme court and six members appointed
 34 32 by the governor to serve four-year terms beginning and ending
 34 33 as provided in section 69.19. Of the governor's appointees,
 34 34 one member shall be from the medical profession, two members
 34 35 shall be regional library trustees at the time of appointment,
 35 1 and ~~five~~ three members shall be selected at large. Not more
 35 2 than three of the members appointed by the governor shall be
 35 3 of the same gender. The members shall be reimbursed for their
 35 4 actual expenditures necessitated by their official duties.

CODE: Replaces 2 of the public members of the State Library Commission with 2 regional library trustees.

VETOED: The Governor vetoed this section, stating that the current makeup of the Commission is appropriate.

PG LN

House File 2465

Explanation

35 5 Members may also be eligible for compensation as provided in
35 6 section 7E.6.]

35 7 Sec. 53. Section 303.92, Code 1991, is amended by adding
35 8 the following new subsection:
35 9 NEW SUBSECTION. 4. The commission shall receive and
35 10 approve the budget and unified plan of service submitted by
35 11 the division of libraries.

CODE: Requires the State Library Commission to receive and approve the budget and unified plan of service from the Library Division.

35 12 Sec. 54. NEW SECTION. 303B.2A REGIONAL LIBRARY TRUSTEES
35 13 - - NONVOTING MEMBERS.

35 14 In addition to the members of the seven regional boards of
35 15 library trustees provided in section 3038.2, the director of
35 16 education shall appoint to each of the seven regional boards
35 17 of library trustees the following nonvoting members:

35 18 1. A representative from an area education agency.
35 19 2. A representative who serves as a member on the board of
35 20 directors for a community college.

35 21 The nonvoting members shall serve at the pleasure of the
35 22 director. The appointed members shall cease to be members if
35 23 they no longer are employed by an area education agency or no
35 24 longer serve as a member on a community college board of
35 25 directors. Sections 303B.3 and 3038.4 do not apply to the
35 26 appointed nonvoting members of the regional boards of library
35 27 trustees.

CODE: Adds 2 members to each Regional Library Board of Trustees to consist of one representative each from an area education agency and a community college trustee. The Director of the DE appoints these members.

35 28 [Sec. 55. The department of education shall conduct a study **VETOED**
35 29 of statewide coordination of information delivery and report
35 30 the results of the study, along with any recommendations, to
35 31 the general assembly by January 1, 1994.

Requires the DE to conduct a study of the statewide coordination of information delivery. The results of the study and any recommendations are to be submitted by January 1, 1994.

VETOED: The Governor vetoed this section, stating that no funds have been appropriated for this study.

35 32 [Sec. 56. DEPARTMENTAL STUDY. The department of education **VETOED**
35 33 shall conduct a study on dyslexia. The department, in
35 34 conjunction with the area education agencies and the

Requires the DE to conduct a study on dyslexia. The DE, Area Education Agencies, and Regents' institutions are required to appoint a committee to

35 35 institutions of higher education governed by the state board
 36 1 of regents, shall appoint a committee to study the methods by
 36 2 which the school districts in this state address dyslexia and
 36 3 related reading disorders. Members to be appointed by the
 36 4 department shall include, but are not limited to,
 36 5 representatives from the department, the area education
 36 6 agencies, and the state board of regents; a school
 36 7 administrator; a regular classroom teacher; a teacher employed
 36 8 under the federal Augustus F. Hawkins-Robert T. Stafford
 36 9 Elementary and Secondary School Improvement Amendments of
 36 10 1988, Pub. L. No. 100-297, chapter 1; a representative
 36 11 selected by the Iowa branch of the Orton dyslexia society; a
 36 12 representative selected by the Iowa reading association; a
 36 13 representative selected by the learning disabilities
 36 14 association of Iowa; and a parent of a child with dyslexia or
 36 15 a related reading disorder. The study shall include, but is
 36 16 not limited to, the identification, methods of teaching, and
 36 17 the remediation of persons with dyslexia and related reading
 36 18 disorders. The committee shall report the results of the
 36 19 study, along with any recommendations, to the department of
 36 20 education and the general assembly by January 1, 1994.]

study the methods by which the school districts
 address dyslexia and related reading disorders. The
 committee is to submit the results and
 recommendations of the study to the General Assembly
 by January 1, 1994.

VETOED: The Governor vetoed this section, stating
 that no funds have been appropriated for this study.

36 21 [Sec. 57. TRANSITION. The current administrators of the
 36 22 arts division, the historical division, the library division,
 36 23 and the public broadcasting division of the department of
 36 24 cultural affairs shall continue to serve as administrators of
 36 25 the divisions to which they were appointed until May 1, 1993.]

VETOED

Allows the administrators of the Arts Council,
 Historical Society, State Library, and IPTV to
 continue to serve until May 1, 1993.

VETOED: The Governor vetoed this section, stating
 that the Director of the DCA should retain the
 authority to appoint these administrators.

36 26 Sec. 58. TRANSFER. On the effective date of this Act, the
 36 27 budget analyst III employed in the administrative division of
 36 28 the department of cultural affairs, and all of the equipment
 36 29 assigned to that position, shall be transferred to the
 36 30 department of education.

Requires the Budget Analyst III employed in the DCA
 administration and all of the equipment assigned to
 that position be transferred to the DE.

36 31 Sec. 59. Section 267.8, Code Supplement 1991, is repealed.

CODE: Repeals the Standing appropriation for the

**EXECUTIVE SUMMARY
HEALTH AND HUMAN RIGHTS APPROPRIATIONS BILL**

HOUSE FILE 2457

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

- *All General Fund appropriations in this bill were exempt from across-the-board reductions by SF 2393, the Second Extraordinary Session Bill. Additional funds were appropriated for the Healthy Family Program, resulting in an increase of \$665,000 from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*
- Increases the funds to the Civil Rights Commission by **\$60,000** compared to the estimated net **FY 1992** appropriation due to adding 2 investigators to deal with the backlog of cases. (Page 1, Line 12)
- Decreases the funds to the Area Agencies on Aging, Retired Iowan Community Employment Program, Alzheimer's Disease Support Program, Retired Senior ~~Volunteer~~ Program, and Care Review Committee Coordinators Program within the Department of Elder Affairs (DEA) by **\$56,000** compared to the estimated net **FY 1992** appropriation. The reduction allows the Elderly Services Program, including the Case Management Program, to maintain the current level of funding. (Various)
- Increases the funds to the Retired Iowan Community Employment Program within the DEA by **\$24,000** compared to the estimated net **FY 1992** appropriation due to providing additional funds to draw the State's entire federal allocation for the Senior Community Service Employment Program. (Page 2, Line 18)
- Decreases the funds to the Department of Public Health (DPH) by **\$137,000** compared to the estimated net **FY 1992** appropriation due to annualizing the **FY 1992** Reduction in Force Plan. (Various)
- Increases the funds to the Vaccine Preventable Disease Program within the DPH by **\$332,000** compared to the estimated net **FY 1992** appropriation due to purchasing additional vaccine and modifying the distribution of vaccine by the Department of Human Services to Title **XIX** eligible patients. (Page 5, Line 6)
- Decreases the funds to the DPH by **\$88,000** compared to the estimated net **FY 1992** appropriation due to eliminating the Community Nutrition and the Employee Health (Capitol Nurse) Programs. (Page 6, Line 10)

**EXECUTIVE SUMMARY
HEALTH AND HUMAN RIGHTS APPROPRIATIONS BILL**

HOUSE FILE 2457

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

STUDIES AND INTENT LANGUAGE

- Decreases funds to the Primary and Preventive Health Care for Children Program within the DPH by \$56,000 compared to the estimated net FY 1992 appropriation due to reducing the State's participation in this Program and increasing the required match by the contracted charitable organization. (Page 14, Line 32)
- Increases the funds to the Boards of Dental, Medical, Nursing, and Pharmacy Examiners in the DPH by \$93,000 compared to the estimated net FY 1992 appropriation. (Various)
- Transfers \$38,000 and 1.0 FTE position due to transferring the Advisory Council on Head Injuries from the Department of Human Rights to the DPH. (Page 5, Line 6 and Page 17, Line 16)
- Provides the DPH with greater flexibility in contracting as related to the Swimming Pools/Spas Program. (Page 21, Line 14)
- Provides for the suspension, revocation, or imposition of probationary conditions on licenses of massage therapists. (Page 22, Line 27)
- Provides for review by the Director of the DPH of applications and rules for certificate of authority by Health Maintenance Organizations, which provide direct health care services. (Page 22, Line 32)
- Requires low-income Community Action Agency Commission members to receive per diem and actual expenses. (Page 23, Line 18)
- Requests the Legislative Council to establish an interim study committee to study the DPH's Professional Licensure Bureau and examining boards. (Page 23, Line 33)

House File 2457 provides **for** the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
4	33	4.1(e)	Nwthstnd	Sec. 145.3(5)	Health Data Commission
18	30	0	Amends	Sec. 135.22(1)	Head Injuries Council
19	4	7	Adds	Sec. 135.22A	Head Injuries Council
21	14	8	Amends	Sec. 135I.2	Swimming Pools/Spas Program
21	29	9	Amends	Sec. 135I.4(6)	Swimming Pools/Spas Program
22	10	10	Amends	Sec. 135I.6	Swimming Pools/Spas Program
22	27	11	Adds	Sec. 136E.7	Massage Therapists
22	32	12	Adds	Sec. 514B.4A	Hlth Maintenance Organization
23	18	13	Amends	Sec. 601K.92A(2)	CAA Commission Member's Comp
24	7	15	Repeals	Sec. 601K.80	Head Injuries Council

1 1 Section 1. DEPARTMENT FOR THE BLIND. There is
 1 2 appropriated from the general fund of the state to the
 1 3 department for the blind for the fiscal year beginning July 1,
 1 4 1992, and ending June 30, 1993, the following amount, or *so*
 1 5 much thereof as is necessary, to be used for the purposes
 1 6 designated:
 1 7 For salaries, support, maintenance, miscellaneous purposes,
 1 8 and for not more than the following full-time equivalent posi-
 1 9 tions:
 1 10 \$ 1,344,555
 1 11 FTEs 99.50

General Fund appropriation to the Department for the Blind.

DETAIL: This is an increase of \$5,530 (0.41%) and a decrease of 5.50 (5.24%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$4,272 to annualize the FY 1992 Reduction In Force (RIF) Plan.
2. A decrease of \$2,268 to eliminate reimbursement to the Auditor's Office.
3. A decrease of 5.50 FTE positions to maintain the FY 1992 RIF Plan.
4. An increase of \$12,070 to restore the 0.26% and 0.62% across-the-board (ATB) reductions in FY 1992.

1 12 Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated
 1 13 from the general fund of the state to the **lowa** state civil
 1 14 rights commission for the fiscal year beginning July 1, 1992
 1 15 and ending June 30, 1993, the following amount, or *so* much
 1 16 thereof as is necessary, to be used for the purposes
 1 17 designated:
 1 18 For salaries, **support**, maintenance, miscellaneous purposes,
 1 19 and for not more than the following full-time equivalent posi-
 1 20 tions:
 1 21 \$ 1,015,791
 1 22 FTEs 31.00

General Fund appropriation to the Civil Rights Commission.

DETAIL: This is an increase of \$68,389 (7.22%) and a decrease of 6.38 (17.07%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. An increase of \$60,000 and 2.00 FTE positions for additional investigators.
2. A decrease of \$323 to eliminate reimbursement to the Auditor's Office.
3. A decrease of 8.38 FTE positions to maintain the FY 1992 RIF Plan.
4. An increase of \$8,712 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

1 23 Sec. 3. DEPARTMENT ~~OF~~ ELDER AFFAIRS. There is
 1 24 appropriated from the general fund of the state to the
 1 25 department of elder affairs for the fiscal year beginning July

1 26 1, 1992, and ending June 30, 1993, the following amounts, or
1 27 *so* much thereof as is necessary, to be used for the purposes
1 28 designated:

1 29 1. For salaries, support, maintenance, miscellaneous
1 30 purposes, and for not more than the following full-time
1 31 equivalent positions:
1 32 \$ 370,554
1 33 FTEs 29.00

General Fund appropriation to the State Administration Division of the Department of Elder Affairs (DEA).

DETAIL: This is a decrease of \$19,116 (4.91%) and 2.00 (6.45%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$7,803 to annualize the FY 1992 RIF Plan.
2. A decrease of \$9,289 to reduce administrative support funds associated with the annualizing of the FY 1992 RIF Plan.
3. A decrease of \$4,000 to reduce administrative support funds.
4. A decrease of \$1,640 to eliminate reimbursement to the Auditor's Office.
5. A decrease of 2.00 FTE positions to maintain the FY 1992 RIF Plan.
6. An increase of \$3,616 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

1 34 2. For the administration of area agencies on aging:
1 35 \$ 151,654

General Fund appropriation for the administration of the Area Agencies on Aging of the DEA.

DETAIL: This is a decrease of \$6,573 (4.15%) compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$7,983 (5.0%) *so* that the services provided through the Elderly Services Program, including the Case Management Program, can remain at the current level of funding.

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2. An increase of \$1,410 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

2 1 3. For elderly services programs:
 2 2 \$ 1,412,241

General Fund appropriation for the Elderly Services Program of the DEA.

DETAIL: This is an increase of \$12,473 (0.88%) compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

2 3 All funds appropriated under this subsection shall be
 2 4 received and disbursed by the director of elder affairs for
 2 5 the elderly services program, shall not be used for
 2 6 administrative purposes, and shall be used for citizens of
 2 7 Iowa over 60 years of age for chore, telephone reassurance,
 2 8 adult day care, respite care, case management for the frail
 2 9 elderly, and home repair services, including the winterizing
 2 10 of homes, and for the construction of entrance ramps which
 2 11 meet the requirements of section 104A.4 and make residences
 2 12 accessible to the physically handicapped. Funds appropriated
 2 13 in this subsection may be used to supplement federal funds
 2 14 under federal regulations. Funds appropriated in this
 2 15 subsection may be used for elderly services not specifically
 2 16 enumerated in this subsection only if approved by an area
 2 17 agency on aging for provision of the service within the area.

Requires that the funds appropriated not be used for administrative purposes and shall be used for Iowa citizens over 60 years of age. Funds may be used to supplement federal funds and may also be used for elderly services not specifically enumerated in this subsection if those services are approved by an area agency.

2 18 4. For the retired Iowans community employment program:
 2 19 \$ 119,969

General Fund appropriation for the Retired Iowans Community Employment Program of the DEA.

DETAIL: This is an increase of \$20,237 (20.29%) compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$5,031 (5.0%) so that the services provided through the Elderly Services Program, including the Case Management Program, can

2 20	5. For the Alzheimer's disease support program:				
2 21	.....	\$	68.933		

- remain at the current level of funding.
- 2. An increase of \$24,380 to provide funds to draw the State's entire federal allocation for the Senior Community Service Employment Program.
- 3. An increase of \$888 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

General Fund appropriation for the Alzheimer's Disease Support Program of the DEA.

DETAIL: This is a decrease of \$2,988 (4.15%) compared to the estimated net FY 1992 appropriation due to:

- 1. A decrease of \$3,629 (5.0%) *so* that the services provided through the Elderly Services Program, including the Case Management Program, can remain at the current level of funding.
- 2. An increase of \$641 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

2 22	6. For retired senior volunteer program projects:				
2 23	.....	\$	67,094		

General Fund appropriation for the Retired Senior Volunteer Program of the DEA.

DETAIL: This is a decrease of \$2,909 (4.16%) compared to the estimated net FY 1992 appropriation due to:

- 1. A decrease of \$3,533 (5.0%) *so* that the services provided through the Elderly Services Program, including the Case Management Program, can remain at the current level of funding.
- 2. An increase of \$624 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

2 24	7. For the long-term care residents' advocate and the care				
2 25	review committees at the local area agency on aging level:				

General Fund appropriation for the Care Review Committee Coordinators Program of the DEA.

3 7 Of the funds appropriated in this subsection, \$730,051
 3 8 shall be used for the chronic renal disease program. The
 3 9 types of assistance available to eligible recipients under the
 3 10 program may include hospital and medical expenses, home
 3 11 dialysis supplies, insurance premiums, travel expenses,
 3 12 prescription and nonprescription drugs, and lodging expenses
 3 13 for persons in training. The program expenditures shall not
 3 14 exceed this allocation. If projected expenditures will exceed
 3 15 the allocation, the department shall establish by
 3 16 administrative rule a mechanism to reduce financial assistance
 3 17 under the renal disease program in order to keep expenditures
 3 18 within the allocations.

3 19 b. PROFESSIONAL LICENSURE

3 20 For salaries, support, maintenance, miscellaneous purposes,
 3 21 and for not more than the following full-time equivalent posi-
 3 22 tions:

3 23	\$	578,357
3 24	FTEs	11.50

3 25 c. LOCAL HEALTH

3 26 (1) For salaries, support, maintenance, and miscellaneous
 3 27 purposes:

3 28	\$	1,196,686
3 29	FTEs	14.00

- transfer the funds for the Division Director position from the Family and Community Health Division.
4. An increase of \$730,051 and 3.00 FTE positions to transfer the Chronic Renal Disease Program from the Family and Community Health Division.
 5. A decrease of 4.00 FTE positions to maintain the FY 1992 RIF Plan.
 6. An increase of \$6,206 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

Requires an allocation for the Chronic Renal Disease Program.

General Fund appropriation to the Professional Licensure Bureau of the DPH.

DETAIL: This is an increase of \$5,108 (0.88%) and no change in FTE positions compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

General Fund appropriation to the new Local Health Bureau of the DPH. The Bureau combines the Office of Rural Health and the Emergency Medical Services (EMS) Program.

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3 30 3 31	(2) Of the funds appropriated in this paragraph, \$76,181 is allocated for the office of rural health.	DETAIL: This is an increase of \$1,196,686 and 14.00 FTE positions compared to the estimated net FY 1992 appropriation due to: 1. An increase of \$130,164 and 2.50 FTE positions to transfer the Office of Rural Health. 2. An increase of \$42,767 and 1.00 FTE position to transfer the funds for the Bureau Chief position from the Family and Community Health Division. 3. An increase of \$111,051 and 3.00 FTE positions to transfer funds to administer the EMS Program from the Health Protection Division. 4. An increase of \$912,704 and 4.00 FTE positions to transfer the EMS Training Program. 5. An increase of 3.50 FTE positions to transfer federally-funded positions.
3 32 3 33 3 34 3 35 4 1	(3) Of the funds appropriated in this paragraph, \$96,750 is allocated to provide technical assistance to rural areas in the area of health care delivery, including technical assistance in the recruitment of physicians and health care professionals.	Requires an allocation for the Office of Rural Health. Requires an allocation for technical assistance to rural areas in the area of health care delivery.
4 2 4 3 4 4 4 5	(4) Of the funds appropriated in this paragraph, \$1,023,503 shall be used for the training of emergency medical services (EMS) personnel at the state, county, and local levels.	Requires an allocation for the training of EMS personnel.
4 6 4 7 4 8 4 9 4 10 4 11	If a person in the course of responding to an emergency renders aid to an injured person and becomes exposed to bodily fluids of the injured person, that emergency responder shall be entitled to hepatitis testing and immunization in accordance with the latest available medical technology to determine if infection with hepatitis has occurred. The	Requires that an emergency responder, who is exposed to bodily fluids of an injured person, be entitled to hepatitis testing. Requires reimbursement to be available to the person from the Emergency Provider Fund. if not available through an employer or a third party payer.

4 12 person shall be entitled to reimbursement from the EMS funds
 4 13 available under this subsection only if the reimbursement is
 4 14 not available through any employer or third-party payor.

4 15 d. HEALTH POLICY AND PLANNING

4 16 For salaries, support, maintenance, miscellaneous purposes,
 4 17 and for not more than the following full-time equivalent
 4 18 positions:

4 19	\$	425,294
4 20	FTEs	10.75

General Fund appropriation to the Health Policy and Planning Bureau of the DPH.

DETAIL: This is an increase of \$53,660 (14.44%) and 0.75 (7.5%) FTE position compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$8,944 to annualize the FY 1992 RIF Plan.
2. An increase of \$59,147 and 1.00 FTE position to transfer funds to administer the EMS Program from the Health Protection Division.
3. A decrease of 0.25 FTE position to maintain the FY 1992 RIF Plan.
4. An increase of \$3,457 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

4 21 e. HEALTH DATA CLEARINGHOUSE. For the health data
 4 22 clearinghouse of the health data commission:

4 23	\$	290,250
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General Fund appropriation to the Health Data Commission (HDC) of the DPH.

DETAIL: This is an increase of \$2,564 (0.88%) compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

4 24 The funds appropriated under this paragraph shall be used
 4 25 for the collection, verification, updating, and storage of
 4 26 data, including long-term care data, received pursuant to
 4 27 chapters 145 and 255A, and for the production of mandated
 4 28 reports. The health data commission shall establish a fee
 4 29 schedule, in consultation with its consultant, for the costs
 4 30 of providing data to organizations which request the data.
 4 31 The fee established shall be based upon the marginal cost and

Requires funds to be used by the HDC for mandated collection, verification, updating, and storage of data. The requirement includes long-term care data.

4 32 a portion of the fixed cost of providing the data.

4 33 Notwithstanding section 145.3, subsection 5, the health
4 34 data commission may contract to purchase a tape from the Iowa
4 35 hospital association containing data from all in-patient
5 1 admissions to Iowa hospitals. The health data commission
5 2 shall specify the data to be contained on the tape to ensure
5 3 the utility of the tape for the production of health data
5 4 commission reports.

5 5 2. HEALTH PROTECTION DIVISION

5 6 a. For salaries, support, maintenance, miscellaneous
5 7 purposes, and for not more than the following full-time
5 8 equivalent positions:

5 9	\$	2,336,230
5 10	FTEs	76.50

CODE: Allows the HDC to contract for the purchase of a tape from the Iowa Hospital Association concerning in-patient admissions.

General Fund appropriation to the Health Protection Division of the DPH.

DETAIL: This is an increase of \$102,516 (4.59%) and a decrease of 4.50 (5.56%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$16,670 to annualize the FY 1992 RIF Plan.
2. A decrease of \$23,311 to reduce administrative support funds associated with annualizing the FY 1992 RIF Plan.
3. An increase of \$278,654 to expand the Vaccine Preventable Disease Program for the purchase of additional vaccine.
4. A decrease of \$11,630 to flatten the organizational structure of the Division.
5. An increase of \$53,546, plus a like amount for the Department of Human Services (DHS), and 2.00 FTE positions to modify the distribution and administration of vaccines of the DHS, Title XIX eligible patients using the DPH's Vaccine Preventable Disease Program. The recommendation, while increasing the appropriation, has an estimated savings of

\$300,000 to the General Fund and \$600,000 in federal Title XIX funds. The savings is due to the providers of service being able to purchase the vaccine at a lower rate and, therefore, being reimbursed at a lower rate.

6. An increase of \$37,723 and 1.00 FTE position to transfer the Advisory Council on Head Injuries from the Department of Human Rights (DHR) to the DPH.
7. An increase of \$74,497 to transfer the Lead Abatement Program from the Family and Community Health Division.
8. A decrease of \$95,176 and 1.00 FTE position to transfer the State epidemiologist to the Administration and Support Division.
9. A decrease of \$45,309 and 1.00 FTE position to transfer the Employee Health (Capitol Nurse) Program to the Family and Community Health Division.
10. A decrease of \$111,051 and 3.00 FTE positions to transfer funds to administer the EMS Program to the Local Health Bureau.
11. A decrease of \$59,147 and 1.00 FTE position to transfer funds to administer the EMS Program to the Policy and Planning Bureau.
12. An increase of 2.00 FTE positions to transfer federally-funded positions.
13. A decrease of 3.50 FTE positions to maintain the FY 1992 RIF Plan.
14. An increase of \$20,390 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

5 11 b. Of the funds appropriated in this subsection, \$72,750
5 12 shall be used for chlamydia testing.

Requires an allocation for Chlamydia testing.

5 13 c. Of the funds appropriated in this subsection, \$15,000
5 14 is allocated to support the surveillance and reporting of

.Requires an allocation for the surveillance and reporting of agriculture-related injuries and

5 15 disabilities suffered by persons engaged in agriculture
 5 16 resulting from diseases or injuries, including identifying the
 5 17 amount and severity of agriculture-related injuries and
 5 18 diseases in the state, identifying causal factors associated
 5 19 with agriculture-related injuries and diseases, and evaluating
 5 20 the effectiveness of intervention programs designed to reduce
 5 21 injuries and diseases. The department shall cooperate with
 5 22 the department of agriculture and land stewardship, Iowa state
 5 23 university of science and technology, and the college of
 5 24 medicine at the state university of Iowa in accomplishing
 5 25 these duties.

diseases.

5 26 d. Of the funds appropriated in this subsection, \$74,497
 5 27 shall be used for the lead abatement program.

Requires an allocation for the Lead Abatement Program.

5 28 e. The state university of Iowa hospitals and clinics
 5 29 shall not receive indirect costs from the funds appropriated
 5 30 under this subsection.

Prohibits the University of Iowa Hospitals and Clinics (UIHC) from receiving indirect costs from the funds appropriated through the Health Protection Division.

5 31 f. The department shall maintain a brain and spinal cord
 5 32 injuries registry.

Requires the DPH to maintain a Brain and Spinal Cord Injuries Registry.

5 33 3. SUBSTANCE ABUSE DIVISION

5 34 a. For salaries, support, maintenance, miscellaneous
 5 35 purposes, and for not more than the following full-time
 6 1 equivalent positions:

General Fund **appropriation** to the Substance Abuse Division of the OPH.

6 2	\$	392,614
6 3	FTEs	19.00

DETAIL: This is a decrease of \$17,620 (4.3%) and 2.00 (9.52%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$21,707 to annualize the FY 1992 RIF Plan.
2. A decrease of 2.00 FTE positions to maintain the FY 1992 RIF Plan.
3. An increase of \$4,087 to restore the 0.26% and

0.62% ATB reductions in FY 1992.

6 4 b. For program grants:
 6 5 \$ 8,196,659

General Fund appropriation for the Substance Abuse Program Grants of the DPH.

DETAIL: This is an increase of \$72,390 (0.88%) compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

6 6 c. For the provision of aftercare services for persons
 6 7 completing substance abuse treatment:
 6 8 \$ 193,500

General Fund appropriation for the Substance Abuse Aftercare Services Program of the DPH.

DETAIL: This is an increase of \$1,709 (0.88%) compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

6 9 4. FAMILY AND COMMUNITY HEALTH DIVISION

6 10 a. For salaries, support, **maintenance**, miscellaneous
 6 11 purposes, and for not more than the following full-time
 6 12 equivalent positions:
 6 13 \$ 3,120,870
 6 14 FTEs 81.00

General Fund appropriation to the Family and Community Health Division of the DPH.

DETAIL: This is a decrease of \$972,646 (23.76%) and 13.00 (13.83%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$22,571 to reduce administrative support funds associated with annualizing the FY 1992 RIF Plan.
2. A decrease of \$40,000 to reduce administrative support funds.
3. A decrease of \$42,825 and 1.00 FTE position to eliminate the Community Nutrition Program.
4. An increase of \$45,309 and 1.00 FTE position to transfer the Employee Health (Capitol Nurse) Program from the Health Protection Division.

5. A decrease of \$45,309 and 1.00 FTE position to eliminate the Employee Health (Capitol Nurse) Program.
6. A decrease of \$56,902 and 1.00 FTE position to transfer the funds for the Division Director position to the Administration and Support Division.
7. A decrease of \$42,767 and 1.00 FTE position to transfer the funds for a Nurse Consultant position to the Local Health Bureau.
8. A decrease of \$74,497 to transfer the Lead Abatement Program to the Health Protection Division.
9. A decrease of \$730,051 and 3.00 FTE positions to transfer the Chronic Renal Disease Program to the Administration and Support Division.
10. A decrease of 5.00 FTE positions to transfer federally-funded positions.
11. A decrease of 2.00 FTE positions to maintain the FY 1992 RIF Plan.
12. An increase of \$36,967 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

6 15 (1) Of the funds appropriated in this lettered paragraph
 6 16 at least \$563,694 shall be allocated for the birth defects and
 6 17 genetics counseling program and of these funds, \$273,773 shall
 6 18 be allocated for regional genetic counseling services
 6 19 contracted from the state university of Iowa hospitals and
 6 20 clinics under the control of the state board of regents.

Requires an allocation to the Birth Defects and Genetic Counseling Program, with specific amounts to be used for a Central Birth Defects Registry Program and contracted genetic counseling services.

6 21 (2) Of the funds appropriated in this lettered paragraph,
 6 22 the following amounts shall be allocated to the state
 6 23 university of Iowa hospitals and clinics under the control of
 6 24 the state board of regents for the following programs under
 6 25 the Iowa specialized child health care services:

Requires allocations to the UIHC for 3 programs under the Iowa Specialized Child Health Care Services.

6 26 (a) Mobile and regional child health specialty clinics:

Requires an allocation for mobile and regional Child

<p>6 27</p> <p>6 28 The regional clinic located in Sioux City shall maintain a</p> <p>6 29 social worker component to assist the families of children</p> <p>6 30 participating in the clinic program.</p> <p>6 31 (b) Muscular dystrophy and related genetic disease</p> <p>6 32 programs:</p> <p>6 33</p> <p>6 34 (c) Statewide perinatal program:</p> <p>6 35</p> <p>7 1 (3) The birth defects and genetic counseling service shall</p> <p>7 2 apply a sliding fee scale to determine the amount a person re-</p> <p>7 3 ceiving the services is required to pay for the services.</p> <p>7 4 These fees shall be considered repayment receipts and used for</p> <p>7 5 the program.</p> <p>7 6 (4) Of the funds allocated to the mobile and regional</p> <p>7 7 child health specialty clinics in subparagraph (2).</p> <p>7 8 subparagraph subdivision (a), \$97,937 shall be used for a</p> <p>7 9 specialized medical home care program providing care planning</p> <p>7 10 and coordination of community support services for children</p> <p>7 11 who require technical medical care in the home.</p> <p>7 12 (5) The state university of Iowa hospitals and clinics</p> <p>7 13 shall not receive indirect costs from the funds for each</p> <p>7 14 program.</p> <p>7 15 (6) Of the funds appropriated in this lettered paragraph,</p> <p>7 16 \$1,279,422 shall be used for maternal and child health</p> <p>7 17 services.</p> <p>7 18 (7) The Iowa department of public health shall administer</p> <p>7 19 the statewide maternal and child health program and the</p> <p>7 20 crippled children's program by conducting mobile and regional</p>	<p>\$ 392,931</p> <p>\$ 115,613</p> <p>\$ 61,693</p>	<p>Health Specialty Clinics.</p> <p>Requires a social worker in the regional clinic which serves Sioux City.</p> <p>Requires an allocation for muscular dystrophy and related genetic disease programs.</p> <p>Requires an allocation for the Statewide Perinatal Program.</p> <p>Requires the Birth Defects and Genetic Counseling Program to use a sliding fee scale.</p> <p>Requires, that of the allocation for specialty clinics, a specific amount be used for a Specialized Medical Home Care Program for children who require technical medical care in the home.</p> <p>Prohibits the UIHC from receiving an allocation for indirect costs.</p> <p>Requires an allocation for maternal and child health services.</p> <p>Requires the DPH to administer the Statewide Maternal and Child Health Program and the Crippled Children's Program.</p>
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7 21 7 22 7 23 7 24 7 25	child health specialty clinics and conducting other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the Social Security Act.	
7 26 7 27 7 28	(8) The department shall track the appropriation made in this paragraph in accordance with the program performance-based budgeting method.	Requires the DPH to track the appropriation for the Family and Community Health Division using the program performance-based budgeting method.
7 29 7 30 7 31 7 32 7 33 7 34 7 35 8 1	(9) The department shall work with the department of elder affairs to realize the Healthy lowans 2000 goal of providing nutrition screening to 90 percent of the elderly persons participating in well-elderly screening clinics, congregate meal programs, and homemaker-home health aide programs, and shall submit a progress report to the general assembly by January 1, 1993, regarding the number of personnel trained and the number of persons served.	Requires the DPH to work with the DEA on the Healthy lowans 2000 goal of providing nutrition screening to elders and to submit a progress report to the General Assembly.
8 2 8 3 8 4 8 5 8 6	(10) The department shall continue efforts to realize the Healthy lowans 2000 goal of the involvement of 50 counties in the lowa community nutrition coalition by January 1, 1993, and shall submit a progress report to the general assembly by January 1, 1993.	Requires the DPH to continue working on the Healthy lowans 2000 goal of involving 50 communities in the Community Nutrition Coalition and to submit a progress report to the General Assembly.
8 7 8 8 8 9 8 10 8 11	<p>b. Sudden infant death syndrome autopsies:</p> <p>For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph j:</p> <p>..... \$ 9,675</p>	<p>General Fund appropriation for the Sudden Infant Death Syndrome Autopsies Program of the DPH.</p> <p>DETAIL: This is an increase of \$86 (0.88%) compared to the estimated net FY 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.</p>
8 12 8 13 8 14	<p>c. For grants to local boards of health for the public health nursing program:</p> <p>..... \$ 2,511,871</p>	<p>General Fund appropriation for the Public Health Nursing (PHN) Program of the DPH.</p> <p>DETAIL: This is an increase of \$22,184 (0.88%)</p>

8 15 (1) Funds appropriated in this lettered paragraph shall be
 8 16 used to maintain and expand the existing public health nursing
 8 17 program for elderly and low-income persons with the objective
 8 18 of preventing or reducing inappropriate institutionalization.
 8 19 The funds shall not be used for any other purpose. As used in
 8 20 this lettered paragraph, elderly person means a person who
 8 21 is 60 years of age or older and low-income person means a
 8 22 person whose income and resources are below the guidelines
 8 23 established by the department.

compared to the estimated net **1992** appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

Requires the use of the PHN Program appropriation for maintaining and expanding the Program.

8 24 (2) One-fourth of the total amount to be allocated shall
 8 25 be divided so that an equal amount is available for use in
 8 26 each county in the state. Three-fourths of the total amount
 8 27 to be allocated shall be divided so that the share available
 8 28 for use in each county is proportionate to the number of
 8 29 elderly and low-income persons living in that county in
 8 30 relation to the total number of elderly and low-income persons
 8 31 living in the state.

Defines the formula for the allocation of PHN Program funds.

8 32 (3) In order to receive allocations under this lettered
 8 33 paragraph, the local board of health having jurisdiction shall
 8 34 prepare a proposal for the use of the allocated funds
 8 35 available for that jurisdiction that will provide the maximum
 9 1 benefits of expanded public health nursing care to elderly and
 9 2 low-income persons in the jurisdiction. After approval of the
 9 3 proposal by the department, the department shall enter into a
 9 4 contract with the local board of health. The local board of
 9 5 health shall subcontract with a nonprofit nurses' association,
 9 6 an independent nonprofit agency, or a suitable local
 9 7 governmental body to use the allocated funds to provide public
 9 8 health nursing care. Local boards of health shall make an
 9 9 effort to prevent duplication of services.

Requires the preparation of a proposal for use of the funds by local entities, if funds are to be received by the local entity. Defines the requirements of the local entity's contract with providers of public health nursing services including with whom the entity shall subcontract. Also states that local boards will make an effort to avoid duplication of services.

9 10 (4) If by July 30 of the fiscal year, the department is
 9 11 unable to conclude contracts for use of the allocated funds in
 9 12 a county, the department shall consider the unused funds
 9 13 appropriated under this lettered paragraph an unallocated
 9 14 pool. If the unallocated pool is \$50,000 or more it shall be
 9 15 reallocated to the counties in substantially the same manner
 9 16 as the original allocations. The reallocated funds are
 9 17 available for use in those counties during the period
 9 18 beginning January 1 and ending June 30 of the fiscal year. If
 9 19 the unallocated pool is less than \$50,000, the department may
 9 20 allocate it to counties with demonstrated special needs for
 9 21 public health nursing.

Defines the formula for the reallocation of unused PHN Program funds.

9 22 (5) The department shall maintain rules governing the
 9 23 expenditure of funds appropriated by this lettered paragraph
 9 24 The rules require each local agency receiving funds to
 9 25 establish and use a sliding fee scale for those persons able
 9 26 to pay for all or a portion of the cost of the care.

Requires administrative rules regarding the expenditure of PHN funds.

9 27 (6) The department shall annually evaluate the success of
 9 28 the public health nursing program. The evaluation shall
 9 29 include the extent to which the program reduced or prevented
 9 30 inappropriate institutionalization, the extent to which the
 9 31 program increased the availability of public health nursing
 9 32 care to elderly and low-income persons, and the extent of
 9 33 public health nursing care provided to elderly and low-income
 9 34 persons. The department shall submit a report of each annual
 9 35 evaluation to the governor and the general assembly.

Requires an evaluation of the PHN Program and a report to the Governor and the General Assembly.

10 1 d. For grants to county boards of supervisors for the
 10 2 homemaker-home health aide program:
 10 3 \$ 8,586,716

General Fund appropriation for the Homemaker-Home Health Aide (Homemaker) Program of the DPH.

DETAIL: This is an increase of \$75,836 (0.88%) compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

10 4 Funds appropriated in this lettered paragraph shall be used
 10 5 to provide homemaker-home health aide services with emphasis
 10 6 on services to elderly and persons below the poverty level and
 10 7 children and adults in need of protective services with the
 10 8 objective of preventing or reducing inappropriate
 10 9 institutionalization. In addition, up to 15 percent of the
 10 10 funds appropriated in this lettered paragraph may be used to
 10 11 provide chore services. The funds shall not be used for any
 10 12 other purposes. In providing services to elderly persons, the
 10 13 service provider shall coordinate efforts with the integrated
 10 14 case management for frail elderly program of the department of
 10 15 elder affairs. As used in this lettered paragraph:

Requires the use of the Homemaker Program appropriation for providing homemaker-home health aide services and the providers of homemaker-home health aide services to cooperate with the DEA regarding case management for elders. Permits a maximum of 15.0% of the appropriation to be used for chore services.

10 16 (1) Chore services means services provided to
 10 17 individuals or families, who, due to incapacity, or illness,
 10 18 are unable to perform certain home maintenance functions. The
 10 19 services include but are not limited to yard work such as
 10 20 mowing lawns, raking leaves, and shoveling walks; window and
 10 21 door maintenance such as hanging screen windows and doors,
 10 22 replacing windowpanes, and washing windows; and minor repairs
 10 23 to walls, floors, stairs, railings, and handles. It also
 10 24 includes heavy house cleaning which includes cleaning attics
 10 25 or basements to remove fire hazards, moving heavy furniture,
 10 26 extensive wall washing, floor care or painting, and trash
 10 27 removal.

Defines chore services, the age of an elderly person, homemaker-home health aide services, a low-income person, and protective services, as related to the Homemaker Program.

10 28 (2) Elderly person means a person who is 60 years of age
 10 29 or older.

10 30 (3) Homemaker-home health aide services means services
 10 31 intended to enhance the capacity of household members to
 10 32 attain or maintain the independence of the household members
 10 33 and provided by trained and supervised workers to individuals
 10 34 or families, who, due to the absence, incapacity, or
 10 35 limitations of the usual homemaker, are experiencing stress or
 11 1 crisis. The services include but are not limited to essential
 11 2 shopping, housekeeping, meal preparation, child care, respite
 11 3 care, money management and consumer education, family
 11 4 management, personal services, transportation and providing

11 5 information, assistance, and household management.
 11 6 (4) Low-income person means a person whose income and
 11 7 resources are below the guidelines established by the
 11 8 department.

11 9 (5) Protective services means those homemaker-home
 11 10 health aide services intended to stabilize a child's or an
 11 11 adult's residential environment and relationships with
 11 12 relatives, caretakers, and other persons or household members
 11 13 in order to alleviate a situation involving abuse or neglect
 11 14 or to otherwise protect the child or adult from a threat of
 11 15 abuse or neglect.

11 16 The amount appropriated in this lettered paragraph shall be
 11 17 allocated for use in the counties of the state. Fifteen
 11 18 percent of the amount shall be divided *so* that an equal amount
 11 19 is available for use in each county in the state. The
 11 20 following percentages of the remaining amount shall be
 11 21 allocated to each county according to that county's proportion
 11 22 of residents with the following demographic characteristics:
 11 23 60 percent according to the number of elderly persons living
 11 24 in the county, 20 percent according to the number of persons
 11 25 below the poverty level living in the county, and 20 percent
 11 26 according to the number of substantiated cases of child abuse
 11 27 in the county during the 3 most recent fiscal years for which
 11 28 data is available.

11 29 In order to receive allocations in this lettered paragraph,
 11 30 the county board of supervisors, after consultation with the
 11 31 local boards of health, county board of social welfare, area
 11 32 agency on aging advisory council, local office of the
 11 33 department of human services, and other in-home health care
 11 34 provider agencies in the jurisdiction, shall prepare a
 11 35 proposal for the use of the allocated funds available for that
 12 1 jurisdiction that will provide the **maximum** benefits of
 12 2 homemaker-home health aide services to elderly and low-income
 12 3 persons and children and adults in need of protective services
 12 4 in the jurisdiction. An agency requesting service or

Defines the formula for the allocation of
 Homemaker-Home Health Aide funds.

Requires the preparation of a proposal for use of the
 funds by local entities, if funds are to be received
 by the local entity.

Defines the requirements of the local entity's
 contract with providers of homemaker services
 including with whom the entity shall subcontract, the
 minimum amount of time for direct services by direct
 service workers, the maximum amounts of cost for
 service and agency administration, and the monitoring
 of the providers of service regarding the payment of

12 5 financial information about a current subcontractor shall
 12 6 provide similar information concerning its own homemaker-home
 12 7 health aide or chore services program to the current
 12 8 subcontractor. The proposal may provide that a maximum of 15
 12 9 percent of the allocated funds will be used to provide chore
 12 10 services. The proposal shall include a statement assuring
 12 11 that children and adults in need of protective services are
 12 12 given priority for homemaker-home health aide services and
 12 13 that the appropriate local agencies have participated in the
 12 14 planning for the proposal. After approval of the proposal by
 12 15 the department, the department shall enter into a contract
 12 16 with the county board of supervisors or a governmental body
 12 17 designated by the county board of supervisors. The county
 12 18 board of supervisors or its designee shall subcontract with a
 12 19 nonprofit nurses' association, an independent nonprofit
 12 20 agency, the department of human services, or a suitable local
 12 21 governmental body to use the allocated funds to provide
 12 22 homemaker-home health aide services and chore services
 12 23 providing that the subcontract requires any service provided
 12 24 away from the home to be documented in a report available for
 12 25 review by the department, and that each homemaker-home health
 12 26 aide subcontracting agency shall maintain the direct service
 12 27 workers' time assigned to direct client service at 70 percent
 12 28 or more of the workers' paid time and that not more than 35
 12 29 percent of the total cost of the service be included in the
 12 30 combined costs for service administration and agency
 12 31 administration. The subcontract shall require that each
 12 32 homemaker-home health aide subcontracting agency shall pay the
 12 33 employer's contribution of social security and provide
 12 34 workers' compensation coverage for persons providing direct
 12 35 homemaker-home health aide service and meet any other
 13 1 applicable legal requirements of an employer-employee
 13 2 relationship.

the employer's share of Social Security, worker's compensation coverage, and any other applicable legal employer/employee relationship requirements.

13 3 If by July 30 of the fiscal year, the department is unable
 13 4 to conclude contracts for use of the allocated funds in a
 13 5 county, the department shall consider the unused funds

Defines the reallocation formula for unused Homemaker Program funds that occur during the fiscal year.

13 6 appropriated in this lettered paragraph an unallocated pool.
 13 7 The department shall also identify any allocated funds which
 13 8 the counties do not anticipate spending during the fiscal
 13 9 year. If the anticipated excess funds to any county are
 13 10 substantial, the department and the county may agree to return
 13 11 those excess funds, if the funds are other than program
 13 12 revenues, to the department, and if returned, the department
 13 13 shall consider the returned funds a part of the unallocated
 13 14 pool. The department shall, prior to February 15 of the
 13 15 fiscal year, reallocate the funds in the unallocated pool
 13 16 among the counties in which the department has concluded
 13 17 contracts under this lettered paragraph. The department shall
 13 18 also review the first 10 months' expenditures for each county
 13 19 in May of the fiscal year, to determine if any counties
 13 20 possess contracted funds which they do not anticipate
 13 21 spending. If such funds are identified and the county agrees
 13 22 to release the funds, the released funds will be considered a
 13 23 new reallocation pool. The department may, prior to June 1 of
 13 24 the fiscal year, reallocate funds from this new reallocation
 13 25 pool to those counties which have experienced a high
 13 26 utilization of protective service hours for children and
 13 27 dependent adults.

13 28 The department shall maintain rules governing the
 13 29 expenditure of funds appropriated in this lettered paragraph.
 13 30 The rules require each local agency receiving funds to
 13 31 establish **and** use a sliding fee scale for those persons able
 13 32 to pay for all or a portion of the cost of the services and
 13 33 shall require the payments to be applied to the cost of the
 13 34 services. The department shall also maintain rules for
 13 35 standards regarding training, supervision, recordkeeping,
 14 1 appeals, program evaluation, cost analysis, and financial
 14 2 audits, and rules specifying reporting requirements.

14 3 The department shall annually evaluate the success of the
 14 4 homemaker-home health aide program. The evaluation shall
 14 5 include a description of the program and its implementation,

Requires the maintenance of rules regarding the expenditure of Homemaker Program funds.

Requires an annual evaluation of the Homemaker Program and an annual report to the Governor and the General Assembly.

14 6 the extent of local participation, the extent to which the
 14 7 program reduced or prevented inappropriate institutional-
 14 8 zation, the extent to which the program provided or increased
 14 9 the availability of homemaker-home health aide services to
 14 10 elderly and low-income persons and children and adults in need
 14 11 of protective services, any problems and recommendations
 14 12 concerning the program, and an analysis of the costs of
 14 13 services across the state. The department shall submit a
 14 14 report of the annual evaluation to the governor and the
 14 15 general assembly.

14 16 e. For the development and maintenance of well-elderly
 14 17 clinics in the state:
 14 18 \$ 585,337

General Fund appropriation for the Well-Elderly Clinics of the DPH.

DETAIL: This is an increase of \$5,169 (0.88%) compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

14 19 Appropriations made in this lettered paragraph shall be
 14 20 provided by a formula to well-elderly clinics located in
 14 21 counties which provide funding on a matching basis for the
 14 22 well-elderly clinics.

Requires the use of a formula so that Well-Elderly Clinics located in those counties which provide matching funds will receive priority in allocations.

14 23 f. For the physician care for children program:
 14 24 \$ 411,187

General Fund appropriation for the Physician Care for Children Program of the DPH.

DETAIL: This is an increase of \$3,632 (0.88%) compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

14 25 The physician services shall be subject to managed care and
 14 26 selective contracting provisions and shall be used to provide
 14 27 treatment of the children in a physician's office and shall
 14 28 include coverage of diagnostic procedures and prescription
 14 29 drugs required for the treatment. Services provided under

Requires that the physician services include managed care and that treatment of children in a physician's office include diagnostic procedures and prescription drugs. Any services funded by this appropriation shall be reimbursed according to Medicaid

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14 30 this lettered paragraph shall be reimbursed according to Title
 14 31 XIX reimbursement rates.

reimbursement rates.

14 32 g. For primary and preventive health care for children:
 14 33 \$ 75,000

General Fund appropriation for the Primary and Preventive Health Care for Children Program of the DPH.

DETAIL: This is a decrease of \$54,458 (42.07%) compared to the estimated net 1992 appropriation due to:

1. A decrease of \$55,612 to reduce the State's participation in this Program, which is based upon increasing the required match by the contracted charitable organization.
2. An increase of \$1.154 to restore the 0.26% and 0.62% ATB reductions in FY 1992..

14 34 Funds appropriated in this lettered paragraph shall be for
 14 35 the public purpose of providing a renewable grant, following a
 15 1 request for proposals, to a statewide charitable organization
 15 2 within the meaning of section 501(c)(3) of the Internal
 15 3 Revenue Code which was organized prior to April 1, 1989, and
 15 4 has as one of its purposes the sponsorship or support for
 15 5 programs designed to improve the quality, awareness, and
 15 6 availability of health care for the young, to serve as the
 15 7 funding mechanism for the provision of primary health care and
 15 8 preventive services to children in the state who are uninsured
 15 9 and who are not eligible under any public plan of health
 15 10 insurance, provided all of the following conditions are met:
 15 11 The organization shall provide a match in advance of each
 15 12 state dollar provided of four dollars for the fiscal year
 15 13 beginning July 1, 1992.
 15 14 (1) The organization coordinates services with new or
 15 15 existing public programs and services provided by or funded by
 15 16 appropriate state agencies in an effort *to* avoid inappropriate..
 15 17 duplication of services and ensure access to care to the

Requires a defined statewide charitable organization to receive the grant from this appropriation. This organization shall serve as the mechanism for providing services to children who are uninsured and are not eligible under any public plan of health insurance. Requires the organization to meet certain conditions, including a \$4.00 organization match for \$1.00 of State funding before receiving funding.

15 18 extent as is reasonably possible. The organization shall work
 15 19 with the Iowa department of public health, family and
 15 20 community health division, to ensure duplication is minimized.
 15 21 (2) The organization's governing board includes in its
 15 22 membership representatives from the executive and legislative
 15 23 branches of state government.
 15 24 (3) Grant funds are available as needed to provide
 15 25 services and shall not be used for administrative costs of the
 15 26 department or the grantee.

15 27 5. STATE BOARD OF DENTAL EXAMINERS
 15 28 For salaries, support, maintenance, miscellaneous purposes,
 15 29 and for not more than the following full-time equivalent posi-
 15 30 tions:
 15 31 \$ 220,565
 15 32 FTEs 4.00

15 33 6. STATE BOARD OF MEDICAL EXAMINERS
 15 34 For salaries, support, maintenance, miscellaneous purposes,
 15 35 and for not more than the following full-time equivalent posi-
 16 1 tions:
 16 2 \$ 907,984
 16 3 FTEs 18.00

General Fund appropriation to the Board of Dental
 Examiners of the DPH.

DETAIL: This is an increase of \$14,455 (7.01%) and
 no change in FTE positions compared to the estimated
 net 1992 appropriation due to:

1. An increase of \$12,619 to provide additional
 funds for the hearing process.
2. An increase of \$1,836 to restore the 0.26% and
 0.62% ATB reductions in FY 1992.

General Fund appropriation to the Board of Medical
 Examiners of the DPH.

DETAIL: This is an increase of \$35,320 (4.05%) and
 no change in FTE positions compared to the estimated
 net 1992 appropriation due to:

1. An increase of \$25,079 to provide additional
 administrative support funds.
2. An increase of \$6,921 to provide additional
 funds for the hearing process.
3. A decrease of \$4,558 to annualize the FY 1992
 RIF Plan.
4. An increase of \$7,878 to restore the 0.26% and
 0.62% ATB reductions in FY 1992.

16 4 7. STATE BOARD OF NURSING EXAMINERS
 16 5 For salaries, support, maintenance, miscellaneous purposes,
 16 6 and for not more than the following full-time equivalent posi-
 16 7 tions:
 16 8 \$ 768,357
 16 9 FTEs 16.00

General Fund appropriation to the Board of Nursing Examiners of the DPH.

DETAIL: This is an increase of \$45,250 (6.26%) and no change in FTE positions compared to the estimated net 1992 appropriation due to:

1. An increase of \$4,712 to provide additional administrative support funds.
2. An increase of \$34,095 to restore a nursing standards representative eliminated by the Governor's FY 1992 3.25% ATB reduction.
3. An increase of \$6,443 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

16 10 8. STATE BOARD OF PHARMACY EXAMINERS
 16 11 For salaries, support, maintenance, miscellaneous purposes,
 16 12 and for not more than the following full-time equivalent posi-
 16 13 tions:
 16 14 \$ 584,281
 16 15 FTEs 11.75

General Fund appropriation to the Board of Pharmacy Examiners of the DPH.

DETAIL: This is an increase of \$19,594 (3.47%) and a decrease of 1.11 (8.63%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. An increase of \$14,563 to provide additional administrative support funds.
2. A decrease of 1.00 FTE position to maintain the FY 1992 RIF Plan.
3. A decrease of 0.11 FTE position to reduce temporary personnel.
4. An increase of \$5,031 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

16 16 9. Professional licensure pursuant to subsection 1,
 16 17 paragraph b , and the professional practice boards pursuant
 16 18 to subsections 5 through 8 shall prepare estimates of .
 16 19 projected receipts to be generated by the licensing,
 16 20 certification, and examination fees of each board as well as a

Requires the Examining Boards of Dental, Medical, Nursing, and Pharmacy and the Professional Licensure Boards to adjust fees so that projected receipts equal projected costs.

16 21 projection of the fairly apportioned administrative costs and
 16 22 rental expenses attributable to each board. Each board shall
 16 23 annually review and adjust its schedule of fees so that, as
 16 24 nearly as possible, projected receipts equal projected costs.

16 25 Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
 16 26 from the general fund of the state to the department of human
 16 27 rights for the fiscal year beginning July 1, 1992 and ending
 16 28 June 30, 1993, the following amounts, or so much thereof as is
 16 29 necessary, to be used for the purposes designated:

16 30 1. CENTRAL ADMINISTRATION DIVISION

16 31 For salaries, support, maintenance, miscellaneous purposes,
 16 32 and for not more than the following full-time equivalent posi-
 16 33 tions:

16 34	\$	212,022
16 35	FTEs	7.60

General Fund appropriation to the Central Administration Division of the DHR.

DETAIL: This is a decrease of \$3,108 (1.44%) and 1.40 (15.56%) FTE positions compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$5,154 to annualize the FY 1992 RIF Plan.
2. A decrease of 1.40 FTE positions to maintain the FY 1992 RIF Plan.
3. An increase of \$2,046 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

17 1 2. COMMUNITY ACTION AGENCIES DIVISION

17 2 For the expenses of the community action agencies
 17 3 commission:

17 4	\$	3,526
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General Fund appropriation to the Community Action Agencies Division of the DHR.

DETAIL: This is an increase of \$32 (0.88%) compared to the estimated net FY 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

17 5 3. DEAF SERVICES DIVISION

17 6 For salaries, support, maintenance, miscellaneous purposes,
 17 7 and for not more than the following full-time equivalent posi-
 17 8 tions:

General Fund appropriation to the Deaf Services Division of the DHR.

DETAIL: This is a decrease of \$1,615 (0.62%) and

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17 9 \$ 260,934
 17 10 FTEs 8.00

1.00 (11.11%) FTE position compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$4,091 to annualize the FY 1992 RIF Plan.
2. A decrease of 1.00 FTE position to maintain the FY 1992 RIF Plan.
3. An increase of \$2,476 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

17 11 The fees collected by the division for provision of
 17 12 interpretation services by the division to obligated agencies
 17 13 shall be disbursed pursuant to the provisions of section 8.32,
 17 14 and shall be dedicated and used by the division for the
 17 15 provision of continued and expanded interpretation services.

Requires the Deaf Services Division to collect receipts for deaf interpretation services and deposit those receipts into a special fund for the Division.

17 16 4. PERSONS WITH DISABILITIES DIVISION
 17 17 For salaries, support, maintenance, miscellaneous purposes,
 17 18 and for not more than the following full-time equivalent posi-
 17 19 tions:
 17 20 \$ 127,016
 17 21 FTEs 3.00

General Fund appropriation to the Persons with Disabilities Division of the DHR.

DETAIL: This is a decrease of \$37,223 (22.66%) and 1.00 (25.0%) FTE position compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$1,023 to eliminate the transfer of funds for the Brain and Spinal Cord Injuries Registry to the DPH.
2. A decrease of \$37,723 and 1.00 FTE position to transfer the Advisory Council on Head Injuries from the DHR to the DPH.
3. An increase of \$1,523 to restore the 0.26% and 0.62% ATB reductions in FY 1992.

17 22 5. LATINO AFFAIRS DIVISION
 17 23 For salaries, support, maintenance, miscellaneous purposes,
 17 24 and for not more than the following full-time equivalent posi-
 17 25 tions:
 17 26 \$ 86,966

General Fund appropriation to the Latino Affairs Division of the DHR.

DETAIL: This is an increase of \$768 (0.88%) and no change in FTE positions compared to the estimated net

17 27	.....	..... FTEs	2.00
17 28	6. STATUS OF WOMEN DIVISION		
17 29	For salaries, support, maintenance, miscellaneous purposes,		
17 30	and for not more than the following full-time equivalent		
17 31	positions:		
17 32	.....	\$	333,166
17 33	.....	FTEs	4.00
17 34	Of the funds appropriated in this subsection, no less than		
17 35	\$125,775 shall be spent for the displaced homemaker program.		
18 1	Of the funds appropriated in this subsection, no less than		
18 2	\$42,570 shall be spent for domestic violence and sexual		
18 3	assault related grants.		
18 4	7. STATUS OF AFRICAN-AMERICANS DIVISION		
18 5	For salaries, support, maintenance, miscellaneous purposes,		
18 6	and for not more than the following full-time equivalent posi-		
18 7	tions:		
18 8	.....	\$	76,027
18 9	.....	FTEs	2.00
18 10	8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION		
18 11	For salaries, support, maintenance, miscellaneous purposes,		
18 12	and for not more than the following full-time equivalent posi-		
18 13	tions:		
18 14	.....	\$	325,760
18 15	.....	FTEs	9.75

FY 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

General Fund appropriation to the Status of Women Division of the DHR.

DETAIL: This is an increase of \$2,942 (0.88%) and no change in FTE positions compared to the estimated net 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

Requires an allocation for the Displaced Homemaker Program.

Requires an allocation for domestic violence and sexual assault grants.

General Fund appropriation to the Status of African Americans Division of the DHR.

DETAIL: This is an increase of \$671 (0.88%) and no change in FTE positions compared to the estimated net FY 1992 appropriation due to restoring the 0.26% and 0.62% ATB reductions in FY 1992.

General Fund appropriation to the Criminal and Juvenile Justice Planning Division of the DHR.

DETAIL: This is an increase of \$1,878 (0.58%) and a decrease of 0.25 (2.5%) FTE position compared to the estimated net FY 1992 appropriation due to:

1. A decrease of \$797 to annualize the FY 1992 RIF Plan.
2. A decrease of \$298 to eliminate reimbursement to the Auditor's Office.

<p>18 16 a. The criminal and juvenile justice planning advisory 18 17 council and the juvenile justice advisory council shall 18 18 coordinate their efforts in carrying out their respective 18 19 duties relative to juvenile justice.</p> <p>18 20 b. Of the funds appropriated in this subsection, no less 18 21 than \$36,300 shall be spent for expenses relating to the 18 22 administration of federal funds for juvenile assistance. It 18 23 is the intent of the general assembly that the department of 18 24 human rights employ sufficient staff to meet the federal 18 25 funding match requirements established by the federal office 18 26 for juvenile justice delinquency prevention. The governor's 18 27 advisory council on juvenile justice shall determine the 18 28 staffing level necessary to carry out federal and state 18 29 mandates for juvenile justice.</p> <p>18 30 Sec. 6. Section 135.22, subsection 1, Code 1991, is 18 31 amended to read as follows:</p> <p>18 32 1. As used in this section, <u>section 135.22A, and section</u> 18 33 <u>225C.23. and section 601K.80;</u> brain injury means clinically 18 34 evident brain damage or spinal cord injury resulting directl 18 35 or indirectly from trauma, infection, anoxia, or vascular 19 1 lesions not primarily related to degenerative or aging 19 2 processes, which temporarily or permanently impairs a person's 19 3 physical or cognitive functions.</p> <p>19 4 Sec. 7. <u>NEW SECTION.</u> 135.22A ADVISORY COUNCIL ON HEAD 19 5 INJURIES. 19 6 1. For purposes of this section, unless the context 19 7 otherwise requires: 19 8 a. Head injury means brain injury as defined in 19 9 section 135.22.</p>	<p>3. A decrease of 0.25 FTE position to maintain the FY 1992 RIF Plan.</p> <p>4. An increase of \$2,973 to restore the 0.26% and 0.62% ATB reductions in FY 1992.</p> <p>Requires the Criminal and Juvenile Justice Advisory Council and the Juvenile Justice Advisory Council to coordinate efforts in performing juvenile justice duties.</p> <p>Requires an allocation for the administration of the federal funds for Juvenile Assistance and employment of sufficient staff to meet federal funding match requirements. The Governor's Advisory Council on Juvenile Justice is responsible for determining the necessary staffing level.</p> <p style="text-align: center;">..</p> <p>CODE: Transfers the Advisory Council on Head Injuries from the DHR to the DPH.</p> <p>CODE: Transfers the Advisory Council on Head Injuries from the DHR to the DPH.</p>
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19 10 b. Council means the advisory council on head injuries.
 19 11 2. The advisory council on head injuries is established.
 19 12 The following persons or their designees shall serve as ex
 19 13 officio, nonvoting members of the council:
 19 14 a. The director of public health.
 19 15 b. The director of human services and any division
 19 16 administrators of the ~~department~~ of human services so assigned
 19 17 by the director.
 19 18 c. The director Of the department of education.
 19 19 d. The chief of the special education bureau of the
 19 20 department of education.
 19 21 e. The administrator of the division of vocational
 19 22 rehabilitation of the department of education.
 19 23 f. The director of the department for the blind.
 19 24 g. The commissioner of insurance.
 19 25 3. The council shall be composed of a minimum of nine
 19 26 members appointed by the governor in addition to the ex
 19 27 officio members, and the governor may appoint additional
 19 28 members. Insofar as practicable, the council shall include
 19 29 persons with head injuries, family members of persons with
 19 30 head injuries, representatives of industry, labor, business,
 19 31 and agriculture, representatives of federal, state, and local
 19 32 government, and representatives of religious, charitable,
 19 33 fraternal, civic, educational, medical, legal, veteran,
 19 34 welfare, and other professional groups and organizations.
 19 35 Members shall be appointed representing every geographic and
 20 1 employment area of the state and shall include members of both
 20 2 sexes.
 20 3 4. Members of the council appointed by the governor shall
 20 4 be appointed for terms of two years. Vacancies on the council
 20 5 shall be filled for the remainder of the term of the original
 20 6 appointment. Members whose terms expire may be reappointed.
 20 7 5. The voting members of the council shall appoint a
 20 8 chairperson and a vice chairperson and other officers as the
 20 9 council deems necessary. The officers shall serve until their
 20 10 successors are appointed and qualified. Members of the
 20 11 council shall receive actual expenses for their services.

20 12 Members may **also** be eligible to receive compensation as
20 13 provided in section **7E.6**. The council shall adopt rules
20 14 pursuant to chapter 17A.

20 15 6. The council shall do all of the following:

20 16 a. Promote meetings and programs for the discussion of
20 17 methods to reduce the debilitating effects of head injuries,
20 18 and disseminate information in cooperation with any other
20 19 department, agency, or entity **on** the prevention, evaluation,
20 20 care, treatment, and rehabilitation of persons affected by
20 21 head injuries.

20 22 b. Study and review current prevention, evaluation, care,
20 23 treatment, and rehabilitation technologies and recommend
20 24 appropriate preparation, training, retraining, and
20 25 distribution of manpower and resources in the provision of
20 26 services to persons with head injuries through private and
20 27 public residential facilities, day programs, and other
20 28 specialized services.

20 29 c. Participate in developing and disseminating criteria
20 30 and standards which may be required for future funding or
20 31 licensing of facilities, **day** programs, and other specialized
20 32 services for persons with head injuries in this state.

20 33 d. Make recommendations to the governor for developing and
20 34 administering a state plan to provide services for persons
20 35 with head injuries.

21 1 e. Meet at least quarterly.

21 2 f. Report on or before February 15 of each year to the
21 3 governor and the general assembly on council activities, and
21 4 submit recommendations believed necessary to promote the
21 5 welfare of persons with head injuries.

21 6 7. The council is assigned to the department for
21 7 administrative purposes. The director shall be responsible
21 8 for budgeting, program coordination, and related management
21 9 functions.

21 10 8. The council may receive gifts, grants, or donations
21 11 made for any of the purposes of its programs and disburse and
21 12 administer them in accordance with their terms and under the
21 13 direction of the director.

21 14 Sec. 8. Section 1351.2, Code 1991, is amended to read as
 21 15 follows:
 21 16 1351.2 APPLICABILITY.
 21 17 This chapter applies to all swimming pools and spas owned
 21 18 or operated by local or state government, or commercial
 21 19 interests or private entities including, but not limited to,
 21 20 facilities operated by cities, counties, public or private
 21 21 school corporations, hotels, motels, camps, apartments,
 21 22 condominiums, and health or country clubs. This chapter does
 21 23 not apply to facilities intended for single family use. To
 21 24 avoid duplication and promote coordination of inspection
 21 25 activities, the department may enter into agreements pursuant
 21 26 to chapter 28E with a local board of health ~~or multiple boards~~
 21 27 ~~of health representing contiguous areas~~ to provide for
 21 28 inspection and enforcement in accordance with this chapter.

CODE: Provides the DPH with greater flexibility in contracting as related to the Swimming Pools/Spas Inspection Program.

21 29 Sec. 9. Section 1351.4, subsection 6, Code 1991, is
 21 30 amended to read as follows:
 21 31 6. Enter into agreements with a local board of health or
 21 32 ~~local boards of health in a contiguous area~~ to implement the
 21 33 inspection and enforcement provisions of this chapter. The
 21 34 agreements shall provide that the fees established by the
 21 35 local board ~~or boards~~ of health for inspection and enforcement
 22 1 shall be retained by the local board ~~or boards~~. ~~A local board~~
 22 2 ~~of health or boards of health in a contiguous area may enter~~
 22 3 ~~into such an agreement with the department~~. However,
 22 4 inspection fees shall not be charged by the department for
 22 5 facilities which are inspected by third-party authorities.
 22 6 Third-party authorities shall be approved by the department.
 22 7 The department shall monitor and certify the inspection and
 22 8 enforcement programs of local boards of health and approved
 22 9 third-party authorities.

CODE: Provides the DPH with greater flexibility in contracting as related to the Swimming Pools/Spas Inspection Program.

22 10 Sec. 10. Section 1351.6, Code 1991, is amended to read as
 22 11 follows:
 22 12 1351.6 ENFORCEMENT.

CODE: Provides the DPH with greater flexibility in contracting as related to the Swimming Pools/Spas Inspection Program.

22 13 If the department or a local board ~~or boards~~ of health
 22 14 acting pursuant to agreement with the department determines
 22 15 that a provision of this chapter or a rule adopted pursuant to
 22 16 this chapter has been or is being violated, the department or
 22 17 the local board ~~or boards~~ of health may order that a facility
 22 18 or item of equipment not be used until the necessary
 22 19 corrective action has been taken. The department or the local
 22 20 board of health may request the county attorney to bring
 22 21 appropriate legal proceedings to enforce this chapter,
 22 22 including an action to enjoin violations. The attorney
 22 23 general may also institute appropriate legal proceedings at
 22 24 the request of the department. This remedy is in addition to
 22 25 any other legal remedy available to the department or a local
 22 26 board ~~or boards~~ of health.

22 27 Sec. 11. NEW SECTION. 136E.7 SUSPENSION AND REVOCATION
 22 28 OF LICENSES.

22 29 The department may suspend, revoke, or impose probationary
 22 30 conditions upon a license issued pursuant to rules adopted in
 22 31 accordance with section 136E.3.

CODE: Provides for the suspension, revocation, or imposition of probationary conditions **on** licenses of massage therapists.

22 32 Sec. 12. NEW SECTION. 514B.4A DIRECT PROVISION OF HEALTH
 22 33 CARE SERVICES.

22 34 1. An application for a certificate of authority to
 22 35 provide health care services, directly, shall be forwarded by
 23 1 the commissioner to the director of public health for review,
 23 2 comment, and recommendation, with respect to the health care
 23 3 services to be provided directly, to assure that the applicant
 23 4 has demonstrated the willingness and potential ability to
 23 5 provide the health care services through adequate personnel
 23 6 and facilities.

23 7 2. Rules proposed by the commissioner for adoption for the
 23 8 direct provision of health care services by a health
 23 9 maintenance organization, shall be forwarded **by** the commis-
 23 10 sioner to the director of public health for review, comment,
 23 11 and recommendation, prior to submission to the administrative
 23 12 rules coordinator pursuant to ~~suction~~ section 17A.4.

CODE: Provides for review by the Director of the DPH of applications and rules for certificate of authority by Health Maintenance Organizations, which provide health care services directly.

23 13 3. The director of public health shall respond to the
23 14 commissioner, with respect to an application or proposed rule,
23 15 with any comments or recommendations within thirty days of the
23 16 forwarding of the application or proposed rules to the
23 17 director of public health.

23 18 Sec. 13. Section 601K.92A, subsection 2, Code 1991, is
23 19 amended to read as follows:
23 20 2. Commission members shall serve three-year terms which
23 21 shall begin and end pursuant to section 69.19. Vacancies on
23 22 the commission shall be filled for the remainder of the term
23 23 of the original appointment. Members whose terms expire may
23 24 be reappointed. Members of the commission shall receive
23 25 actual expenses for their services. Members may also be
23 26 eligible to receive compensation as provided in section 7E.6.
23 27 Members as specified under subsection 1, paragraph c,
23 28 however, shall receive per diem compensation as provided in
23 29 section 7E.6 and actual expenses. The membership of the
23 30 commission shall also comply with the political party
23 31 affiliation and gender balance requirements of sections 69.16
23 32 and 69.16A.

CODE: Requires low-income Community Action Agency
Commission members to receive per diem and actual
expenses.

23 33 Sec. 14. INTERIM STUDY -- LICENSING AND EXAMINING BOARDS
23 34 The legislative council is requested to establish an interim
23 35 study committee to review and make recommendations for the
24 1 reorganization of professional licensure and the professional
24 2 examining boards under the purview of the Iowa department of
24 3 public health. The study shall include but not be limited to
24 4 an evaluation of and recommendation regarding the
24 5 establishment of a health profession review commission to
24 6 address scope of practice issues..

Requests the Legislative Council to establish an
interim study committee to study the DPH's
Professional Licensure Bureau and examining boards.

24 7 Sec. 15. Section 601K.80, Code 1991, is repealed.

CODE: Eliminates the Advisory Council on Head
Injuries from the DHR due to the transfer of the
Council to the DPH.

24 8 Sec. 16. **FEDERAL AND NONSTATE FUNDS.** Federal grants,

Requires that any federal or nonstate funds received

PG LN

House File 2457

Explanation

24 9 receipts, and funds and other nonstate grants, receipts, and
24 10 funds, available in whole **or** in part for the fiscal year
24 11 beginning July 1, 1992, and ending June 30, **1993**, are
24 12 appropriated to the receiving department for the purposes set
24 13 forth in the grants, receipts, or conditions accompanying the
24 14 receipt of the funds, unless otherwise provided by law.

24 15 HF 2457
24 16 pf/pk/25

by departments for FY 1993 to be appropriated based
on the stated purposes of the federal or nonstate
funds.

..

**EXECUTIVE SUMMARY
HUMAN SERVICES APPROPRIATIONS BILL**

SENATE FILE 2355

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

• *All General Fund appropriations in this bill were exempt from across-the-board reductions by SF 2393, the Second Extraordinary Session Bill, except Central Administration which was reduced by 5.0%. Funding was restored for juvenile justice programs, Medical Assistance, medical contracts, the Iowa Veterans' Home (IVH), and prenatal care, resulting in a net increase of \$276.3 million compared to previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*

-Allocates \$60,000 of the Medical Assistance appropriation to establish an Immunodeficiency Virus Infection-Acquired Immune Deficiency Syndrome (HIV - AIDS) Insurance Continuation Assistance Pilot Program. (Page 4, Line 34) *This item was vetoed by the Governor.*

-Specifies a child support public awareness campaign be conducted in cooperation with the Attorney General. The Child Support Recovery appropriation reflects the addition of \$61,000 and 3.2 FTE positions for the campaign. (Page 17, Line 5 and Page 15, Line 12)

• Appropriates \$453,000 and 17.0 FTE positions for the first year development costs of the X-PERT computerized eligibility determination system and provides for implementation of the system by August 1, 1994. (Page 58, Line 12)

• Appropriates \$350,000 to the Department of Human Services (DHS) to expand family planning services to specified eligible women, and \$143,000 for risk assessments for pregnant women eligible for Medical Assistance and for enhanced services for those found to be high-risk. (Page 64, Line 25 and Page 65, Line 32) *This item was vetoed by the Governor.*

-Appropriates \$100,000 to the DHS for use by the Department of Public Health (DPH), Division of Substance Abuse and Health Promotion, for the integration of reproductive health services with substance programs. (Page 65, Line 17) *This item was vetoed by the Governor.*

• Appropriates \$665,000 to the DPH to fund the Healthy Family Program, staff support for a multidisciplinary team conducting research regarding causes of infant deaths, and to increase the use of mid-level practitioners to improve access to prenatal care. (Page 68, Line 12) *This item, was vetoed by the Governor.*

• Appropriates \$75,000 to the Insurance Division of the Department of Commerce to establish an Iowa Center for Health Issues. (Page 69, Line 12) *This item was vetoed by the Governor.*

**EXECUTIVE SUMMARY
HUMAN SERVICES APPROPRIATIONS BILL**

SENATE FILE 2355

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

-Appropriates \$276.7 million to the Medical Assistance Program, an increase of \$22.1 million compared to the estimated net FY 1992 appropriation. Reflects an additional \$1.4 million needed to replace savings from copayments on mandatory services and the expansion of the Medicaid Patient Access to Service System (MediPASS) to an additional 27,000 eligible recipients (savings of \$325,000). Provides reimbursement increases to various Medical Assistance providers (\$1.6 million). (Page 3, Line 1 and Page 8, Line 2; Page 4, Line 28; Page 59, Line 24) *This item was vetoed by the Governor.*

-Provides for additional needs-based foster care beds (\$828,000), the expansion of in-home (wrap-around) services designed to avert foster care placements (\$4.8 million), and includes a net reduction of \$500,000 in the Foster Care appropriation to reflect anticipated increased federal funding from the Supplemental Security Income (SSI) Program. Increases family foster care and independent living provider reimbursement rates (\$961,000) and expands independent living to serve more children (\$643,000). (Various)

•Increases the Court-Ordered Services Provided to Juveniles Program by \$390,000 compared to the estimated net FY 1992 appropriation. Since approximately \$800,000 was spent on paying FY 1991 claims in FY 1992, the judicial districts actually have \$1.2 million more to spend in FY 1993 than in FY 1992. House File 2452 (Juvenile Justice Bill) repeals the total \$4.0 million appropriation and language referencing the Program in this Act but contains the same appropriation and language. *The repeal was vetoed by the Governor, leaving the appropriation and related language in this Act intact.* (Page 33, Line 12)

*Establishes a Mental Health, Mental Retardation, Developmental Disabilities, and Brain-Injury (MHIMRIDDIBI) Community Services appropriation of \$27.3 million. This includes combining monies from the MH/MR Fund (\$3.1 million), the Special Mental Health Services Fund (\$4.7 million), the FY 1992 Enhanced Services MHIMRIDD county maintenance of effort (MOE) (\$1.9 million), local purchased services (\$13.0 million), new monies (\$4.7 million), and the transfer of funds to General Administration for technical assistance and training to local Communities and providers (-\$114,000). (Page 42, Line 10)

*Requires the DPH to establish the Healthy Family Program to provide services to families and children during the prenatal through preschool years. Requires 2 components of the Program: an Infant Mortality and Morbidity Prevention Program and a Prenatal to Preschool Family and Child Protection Services Program. (Page 70, Line 21) *This item was vetoed by the Governor.*

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

**EXECUTIVE SUMMARY
HUMAN SERVICES APPROPRIATIONS BILL**

SENATE FILE 2355

- Provides for the registration ~~and~~ certification of acupuncturists ~~and other~~ details regarding ~~the~~ practice of acupuncture. (Page 74, Line 18) *This item was vetoed by the Governor.*
- Provides that Sections 225C.25 through **225C.28B, Code of Iowa**, shall be known as the Bill of Rights and service quality standards of persons with MR/DD/BI/Chronic Mental Illness (CMI). (Page 78, Line 32)
- Provides rights for persons with MRIDDIBICMI: wage ~~protection~~, ~~insurance protection~~, due process. and participation in planning activities. (Page 80, Line 6)
- *Requires the DHS to assist the Court in locating ~~an~~ alternative **placement** for a patient who ~~has been~~ committed to a state mental health institute (MHI) when ~~there is~~ no bed available. (Page 81, Line 21)
- Extends the deadline for the General Assembly to enact ~~legislation~~ to implement a **funding** formula for State participation in funding of ~~MHIMRIDD~~ services until July 1, 1996 before a freeze on county funding for these services would take place with the State paying anything in excess of ~~the~~ frozen amount. (Page 83, Line 7)
- Repeals Section 225C.28, Code of Iowa, commonly referred to as the Bill of Rights for persons with MRIDDICMI. (Page 84, Line 18)
- Establishes a Child Welfare ~~Task~~ Force charged with presenting recommendations to the Governor and General Assembly by June 30, 1994. The recommendations are to relate to the design of a financing system for child welfare, juvenile justice, and mental health services for children which provides a family-centered, community-based, and prevention-oriented ~~response~~ to families with children who currently are served in ~~an~~ out-of-home placement. (Page 18, Line 16)
- *Establishes a Statewide target of 1,405 for the average number of children placed in group foster ~~care~~. This target will be implemented under the provisions of **HF 2480** (Child Welfare Statutory Bill) which adds a new Code of Iowa section (232.143) permitting such a target. Requires quarterly analysis and reporting concerning the actual number of group foster ~~care~~ placements and development of incentives for regions which reduce such placements. (Page 21, Line 32)

STUDIES AND INTENT LANGUAGE

**EXECUTIVE SUMMARY
HUMAN SERVICES APPROPRIATIONS BILL**

SENATE FILE 2355

=Provides that **\$12.3** million of the MH/MR/DD/BI Community Services appropriation is contingent upon counties establishing MI/MR/DD/BI planning councils by **September 1, 1992**. Requires a council's planning area, to the extent possible, to use the borders of specified county clusters. (Page **42**, Line **21** and Page **44**, Line **15**)

• Establishes a **Task Force** in FY **1993** to develop a plan for restructuring the service delivery system for persons with MI/MR/DD/BI. Requires the **Task Force** to present a plan regarding implementation of the restructuring and funding by December **1, 1992** and provides if it is the General Assembly's intent the plan be considered for enactment during the **1994 Legislative Session**. (Page **47**, Line **18**)

-Provides it is the intent of the General Assembly that the county **MOE** for candidate services be discontinued after FY **1993**. (Page **52**, Line **7**)

*Requires the Department of Management (DOM) to use a **task force** to study the Medical Assistance Program. Requires the findings and recommendations be submitted to the Governor and the General Assembly by January **1, 1993**. (Page **63**, Line **11**)

GOVERNOR'S VETOES

• The Governor vetoed an appropriation of **\$276.7** million and all corresponding language pertaining to the Medical Assistance Program. This includes a \$60,000 allocation and language pertaining to the establishment of an **HIV - AIDS Insurance Continuation Pilot Program**. The Governor stated that it is imperative the State address the issue of escalating costs for medical services and that without adequate cost containment, the State budget cannot be brought under control. (Page **3**, Line **1**)

• The Governor vetoed language prohibiting the State from considering monies which a resident must pay under the federal "Section **8**" Program as income in determining the amount of State Supplementary Assistance (SSA) provided to a resident of a licensed residential care facility (RCF). The Governor stated that the provision would cost the State an additional \$940,000 annually of monies not incorporated into the SSA appropriation. (Page **10**, Line **15**)

• The Governor vetoed language requiring a maximum of **\$20,000** of the MH/MR/DD/BI Community Services appropriation to be transferred to the Legislative Service Bureau (LSB) to contract for a consultant and facilitator for the MI/MR/DD/BI **Task Force**, stating that the LSB has an unlimited standing appropriation and the funding for this purpose should come from that agency's budget. (Page **45**, Line **11**) .

**EXECUTIVE SUMMARY
HUMAN SERVICES APPROPRIATIONS BILL**

SENATE FILE 2355

- The Governor vetoed language requiring ~~the~~ DHS to ~~set~~ reimbursement rates for family foster care at 65.0% of the U.S. Department of Agriculture estimate of ~~the~~ cost to raise a child in FY 1993. The Governor **stated** that a reimbursement increase for foster parents is in **HF 2480** and, therefore, the language in SF 2355 is no longer **needed**. (Page 61, Line 20)
- The Governor vetoed appropriations totaling \$1.3 million to ~~the~~ DHS, DPH, and ~~the~~ Insurance Division of the Department of Commerce and language pertaining to the ~~Healthy~~ Family Program and other services designed to reduce infant mortality and morbidity, stating that **given** the current financial constraints, funding for new programs cannot be approved. (Page 64, Line 25)
- The Governor vetoed language pertaining to the registration, licensing, and certification of acupuncturists, stating that the issue requires additional study and cannot be approved. (Page 74, Line 18)

Senate File 2355

Senate File 2355 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
2	8	1.6	Nwthstnd	Sec. 239.6	AFDC Ellg. Determination
4	4	3.3	Nwthstnd	Sec. 8.39	Case Management Account
13	11	7.8b	Nwthstnd	Sec. 239.21	Transitional Child Care
16	1	9.2	Nwthstnd	Sec. 252B.4	Use of Child Support Fees
24	5	12.8	Nwthstnd	Sec. All	Decategorization
25	15	12.9	Nwthstnd	Sec. All	Foster Care Maintenance and Service Definitions
28	22	12.15	Nwthstnd	Sec. 232.142(3)	Juvenile Detention Subsidy
28	27	13	Nwthstnd	Sec. 217.30 & 232.2(11)	Release of Records
28	27	13	Nwthstnd	Sec. All	Release of Records
33	22	16.1	Nwthstnd	Sec. 232.141 & All	Court-Ordered Services
35	2	16.5	Nwthstnd	Sec. 232 & All	Limits on Judicial Authority
35	16	16.6	Nwthstnd	Sec. All	Counties Not Required To Pay
50	27	27.4	Nwthstnd	Sec. 8.33	Non-Reversion Clause
52	13	27.6	Nwthstnd	Sec. 225C.20	Case Management
70	23	47	Adds	Sec. 135.106	Healthy Family Program
74	1	48	Amends	Sec. 135C.2(5)(b)	Local Requirements
				Code Supplement 1991	
74	18	49	Adds	Sec. 148E.1	Definitions
75	3	50	Adds	Sec. 148E.2	Registration and Renewal
75	10	51	Adds	Sec. 148E.3	Registration Requirements
75	26	52	Adds	Sec. 148E.4	Disclosure of Information
76	16	53	Adds	Sec. 148E.5	Use and Disposal of Needles
76	21	54	Adds	Sec. 148E.6	Revocation or Suspension
77	9	55	Adds	Sec. 148E.7	Accident and Health Insurance
77	16	56	Adds	Sec. 148E.8	Exempted From Regulations
77	19	57	Adds	Sec. 148E.9	Standard of Care
77	24	58	Adds	Sec. 148E.10	Evaluation of Condition
77	30	59	Amends	Sec. 147.1(2 & 3)	Technical Correction

Page #	Line #	Bill Section	Action	Code Section Changed	Description
				Code Supplement 1991	
78	15	60	Amends	Sec. 147.13(1)	Technical Correction
				Code Supplement 1991	
78	20	61	Adds	Sec. 147.74(17)	Registered Acupuncturist
				Code Supplement 1991	
78	26	62	Adds	Sec. 147.80(24)	Fees Set
78	32	63 & 64 & 65	Amends	Sec. 225C.25 - 225C.27	Bill of Rights, Quality Stnds
79	21	66	Adds	Sec. 225C.28A	Quality Standards
80	6	67	Adds	Sec. 225C.28B	MR/DD/BI/CMI Rights
80	31	68	Amends	Sec. 225C.29	MR/DD/BI/CMI Rights
81	21	69	Amends	Sec. 226.7	Alternate Placement
81	27	70	Amends	Sec. 230A.14	Mental Health Treatment
82	11	71	Amends	Sec. 234.40	Corporal Punishment
82	32	72	Repeals	Sec. 249A.25(4)(i)	Maintenance of Effort (MOE)
		73	Amends	249A.25(4)(j)	
		74	Repeals	249A.26(3)	
				Code Supplement 1991	
83	7	75	Amends	Sec. 331.438	County MH Expenditures
83	22	76 & 77	Amends	Sec. 9(3c & 3e), 50(60) SF 2366	Block Grant Appropriations
				1992 Iowa Acts	
84	18	79	Repeals	Sec. 225C.28	MR/DD/CMI Bill of Rights

1 1 Section 1. AID TO FAMILIES WITH DEPENDENT CHILDREN. There
 1 2 is appropriated from the general fund of the state to the
 1 3 department of human services for the fiscal year beginning
 1 4 July 1, 1992, and ending June 30, 1993, the following amount,
 1 5 or so much thereof as is necessary, to be used for the purpose
 1 6 designated:
 1 7 For aid to families with dependent children:
 1 8 \$ 46,470,000

General Fund appropriation to the Department of Human Services (DHS) for Aid to Families with Dependent Children (AFDC).

DETAIL: This is an increase of \$1,892,426 compared to the estimated net FY 1992 appropriation. Maintains the current payment levels at 58.0% of the Standard of Need; these are \$361 per month for a family with 2 persons and \$426 for a family with 3 persons. Assumes that caseloads will continue at the current level. In February 1992 there were 34,731 Regular AFDC cases, which is a 6.2% increase compared to February 1991, and 2,413 Unemployed Parent AFDC cases, which is a 7.8% increase compared to February 1991. The appropriation assumes 35,454 Regular AFDC cases and 2,361 Unemployed Parent AFDC cases. These assumptions are based upon the predictions of a computerized model.

Assumes that child support collection revenues will remain at the level budgeted for FY 1992. The DHS has indicated that this level of collections may not be achieved. As this is an entitlement program, a supplemental appropriation will be needed if actual revenues are less than budgeted.

This is not a mandated program, but federal requirements must be met in order to qualify for an approximate two-thirds match in federal funding.

1 9 1. The department may fund the employee portion of the
 1 10 cash bonus program from unspent funds under the appropriation
 1 11 made in this section.

Permits the DHS to continue the employee portion of the Cash Bonus Program.

DETAIL: This Program pays \$500 to 84 former recipients of AFDC, if employment continues for 6 months.

1 12 2. The department shall continue to contract for services
 1 13 in developing and monitoring a demonstration waiver program to
 1 14 facilitate providing assistance in self-employment investment
 1 15 to aid to dependent children families. The demonstration
 1 16 waiver program shall be provided for the fiscal period
 1 17 beginning July 1, 1992, and ending June 30, 1993, or for as
 1 18 long as federal approval of the program continues. Of the
 1 19 funds appropriated in this section, up to \$99,400 shall be
 1 20 used to provide technical assistance for aid to dependent
 1 21 children families seeking self-employment. The technical
 1 22 assistance may be provided through the department or through a
 1 23 contract with the division of job training of the Iowa
 1 24 department of economic development.

Requires the DHS to continue the Self-Employment Investment Demonstration (SEID) Program.

DETAIL: The Program provides technical assistance to 150 AFDC recipients who are seeking self-employment. The technical assistance may be provided by the DHS or by the Job Training Division of the Department of Employment Services.

1 25 3. The department shall apply the self-employment
 1 26 investment demonstration waiver project statewide during the
 1 27 fiscal period delineated in the federal waiver submitted to
 1 28 operate the Iowa Self-employed Household Incentive Program
 1 29 (ISHIP) waiver project statewide, provided training is
 1 30 available to a recipient through a recognized self-employment
 1 31 training program.

Requires the DHS to apply the self-employment waivers statewide, as provided for in the recently approved federal waiver, if training is available through a recognized self-employment training program.

1 32 4. The department shall continue the special needs program
 1 33 under the aid to families with dependent children program.

Requires the DHS to continue the Special Needs Program under the AFDC Program.

1 34 5. The department shall contract with the corporation for
 1 35 enterprise development for Iowa's second year of participation
 2 1 in the two-year study phase of a state human investment
 2 2 policy demonstration project. Of the funds appropriated in
 2 3 this section, up to \$75,000 shall be used for costs associated
 2 4 with Iowa's participation in the project. The department
 2 5 shall make efforts to obtain additional private and federal
 2 6 funding for the project, and shall submit reports on the
 2 7 status of the project to the legislative fiscal bureau.

Requires the DHS to contract with the Corporation for Enterprise Development for the second year of participation in the 2 year study phase of a State Human Investment Policy (SHIP) demonstration project. Permits use of up to \$75,000 of the AFDC appropriation for costs associated with SHIP, and requires regular reports.

DETAIL: A SHIP Work Group and Council have been established and are holding regular meetings. Additional information is available from the

Legislative Fiscal Bureau (LFB) upon request.

2 8 6. Notwithstanding section 239.6, the department is not
2 9 required to reconsider eligibility of aid to dependent
2 10 children recipients every six months if a federal waiver is
2 11 granted.

CODE: Permits the DHS to reconsider eligibility for AFDC less frequently than once every 6 months if a federal waiver is approved.

2 12 Sec. 2. EMERGENCY ASSISTANCE. There is appropriated from
2 13 the general fund of the state to the department of human
2 14 services for the fiscal year beginning July 1, 1992, and
2 15 ending June 30, 1993, the following amount, or so much thereof
2 16 as is necessary, to be used for the purpose designated:
2 17 For emergency assistance to families with dependent
2 18 children under Title IV-A of the federal Social Security Act
2 19 to match federal funding for homeless prevention programs:
2 20 \$ 883,750

General Fund appropriation to the DHS for the Emergency Assistance Program.

DETAIL: This is an increase of \$30,425 compared to the estimated net FY 1992 appropriation. This amount will fund approximately 6 months of operation. Assists families with children who are either homeless or at risk of becoming homeless. State funding is matched with an equal amount of federal funds. The maximum grant to any family is \$500; the appropriation will fund a maximum of 3,535 families.

This is not a mandated program.

2 21 The emergency assistance provided for in this section shall
2 22 be available beginning October 1, 1992, and shall be provided
2 23 only if all other publicly funded resources have been
2 24 exhausted. The emergency assistance includes, but is not
2 25 limited to, assisting people who face eviction, potential
2 26 eviction, or foreclosure, utility shutoff or fuel shortage,
2 27 loss of heating energy supply or equipment, homelessness,
2 28 utility or rental deposits, or other specified crisis which
2 29 threatens family or living arrangements. The emergency
2 30 assistance shall be available to migrant families who would
2 31 otherwise meet eligibility criteria. The department shall
2 32 report quarterly, beginning October 1, 1992, and continuing
2 33 through the period that emergency assistance funding is
2 34 provided, to the legislative fiscal committee concerning the
2 35 emergency assistance.

Requires the DHS to use Emergency Assistance funds only in cases where all other publicly funded resources, such as county General Relief, have been exhausted. Provides that the Program will begin operation October 1, 1992. Requires quarterly reports to be submitted to the Legislative Council.

3 1 [Sec. 3. MEDICAL ASSISTANCE. There is appropriated from
 3 2 the general fund of the state to the department of human
 3 3 services for the fiscal year beginning July 1, 1992, and
 3 4 ending June 30, 1993, the following amount, or *so* much thereof
 3 5 as is necessary, to be used for the purpose designated:
 3 6 For medical assistance, including reimbursement for
 3 7 abortion services, which shall be available under the medical
 3 8 assistance program only for those abortions which are
 3 9 medically necessary:
 3 10 \$276,670,000

VETOED

General Fund appropriation to the DHS for the Medical Assistance Program.

DETAIL: This is an increase of \$22,140,400 compared to the estimated net FY 1992 appropriation. There is also a General Fund appropriation of \$25,000,000 for Medical Assistance in HF 2486. This is a net increase of \$47,140,400 compared to the estimated net FY 1992 appropriation.

Home health agency and rural health clinic provider reimbursements increase 5.3% compared to the rate in effect on June 30, 1992. Early Periodic Screening and Diagnostic Testing (EPSDT) service, obstetrical, and pediatric service provider reimbursements increase 10.0% compared to the rate in effect on June 30, 1992. Other reimbursement rate increases include: drug product, 9.7%; inpatient hospital providers, 1.0%; hospice agencies, 5.5%. Most other Medical Assistance providers remain at the rate in effect on June 30, 1992.

Reflects a decrease in the Federal Financial Participation (FFP) which causes the State share to increase. Reflects an additional \$1,400,000 to replace savings from copayments on mandatory services.

The Medical Assistance Program is not a mandated program, but federal regulations must be followed for Iowa to qualify for a federal match in funds of approximately 63.0%.

VETOED: The Governor vetoed this appropriation, stating that it is imperative that the State address the issue of escalating costs for medical services and that without adequate cost containment, the State

budget cannot be brought under control.

Specifies the conditions under which the Medical Assistance Program reimburses providers for abortion services.

VETOED: The Governor vetoed language pertaining to the Medical Assistance Program, since the appropriation for the Program was vetoed.

Provides an allocation of a maximum of \$100,000 to be transferred to the Department of Public Health (DPH) for contingent State funding for the federal nutrition program for women, infants, and children (WIC).

VETOED: The Governor vetoed language pertaining to the Medical Assistance Program, since the appropriation for the Program was vetoed.

CODE: Permits the DHS to transfer funds appropriated in this section to a separate account established for case management expenditures in the Enhanced Mental Health, Mental Retardation, and Developmental Disabilities (MH/MR/DD) Services appropriation.

3 11 1. Medically necessary abortions are those performed under
 3 12 any of the following conditions:
 3 13 a. The attending physician certifies that continuing the
 3 14 pregnancy would endanger the life of the pregnant woman.
 3 15 b. The attending physician certifies that the fetus is
 3 16 physically deformed, mentally deficient, or afflicted with a
 3 17 congenital illness.
 3 18 c. The pregnancy is the result of a rape which is reported
 3 19 within 45 days of the incident to a law enforcement agency or
 3 20 public or private health agency which may include a family
 3 21 physician.
 3 22 d. The pregnancy is the result of incest which is reported
 3 23 within 150 days of the incident to a law enforcement agency or
 3 24 public or private health agency which may include a family
 3 25 physician.
 3 26 e. Any spontaneous abortion, commonly known as a
 3 27 miscarriage, if not all of the products of conception are
 3 28 expelled.

3 29 2. Of the funds appropriated in this section, \$100,000 is
 3 30 allocated until January 31, 1993, for contingency assistance
 3 31 for the federal nutrition program for women, infants, and
 3 32 children and shall be transferred to the Iowa department of
 3 33 public health as necessary in order to fully utilize funding
 3 34 available for the program. Any moneys allocated in this
 3 35 subsection which are unexpended or unobligated on January 31,
 4 1 1993, shall be available during the remainder of the fiscal
 4 2 year to the department of human services for the purposes of
 4 3 this section.

4 4 3. Notwithstanding section 8.39, the department may
 4 5 transfer funds appropriated in this section to a separate
 4 6 account established in the department's case management unit
 4 7 for expenditures required to provide case management services .
 4 8 pursuant to the appropriation made in this Act for mental

4 9 health, mental retardation, and developmental disabilities
 4 10 services under medical assistance which are jointly funded by
 4 11 the state and county, pending final settlement of the
 4 12 expenditures. Funds received by the case management unit in
 4 13 settlement of the expenditures shall be used to replace the
 4 14 transferred funds and are available for the purposes for which
 4 15 the funds were appropriated in this section.

VETOED: The Governor vetoed language pertaining to the Medical Assistance Program, since the appropriation for the Program was vetoed.

4 16 4. If implementing a procedure of purchase and
 4 17 distribution of vaccines to physicians participating in the
 4 18 medical assistance program is determined by the department of
 4 19 human services to be cost-effective for the department, the
 4 20 department of human services may use moneys appropriated in
 4 21 this section to contract with the Iowa department of public
 4 22 health for this purpose. In implementing the procedure, the
 4 23 department shall adopt rules requiring physicians to obtain
 4 24 vaccines from the Iowa department of public health for
 4 25 immunization of medical assistance recipients. The department
 4 26 may adopt emergency rules to implement the provisions of this
 4 27 subsection.

Permits the DHS to use monies to contract with the DPH allowing doctors participating in the Medical Assistance Program to purchase vaccines from the DPH if the procedure is determined to be cost-effective.

VETOED: The Governor vetoed language pertaining to the Medical Assistance Program, since the appropriation for the Program was vetoed.

4 28 5. The department shall seek federal approval of a medical
 4 29 assistance waiver in order to expand the availability of the
 4 30 MediPASS program to an additional 27,000 enrollees. If
 4 31 federal approval is granted, the department may adopt
 4 32 emergency rules to implement the provisions of this
 4 33 subsection.

Requires the DHS to seek a Medical Assistance waiver to expand the availability of the Medicaid Patient Access to Service System (MediPASS) Program to expand the Program to make 27,000 additional persons eligible.

VETOED: The Governor vetoed language pertaining to the Medical Assistance Program, since the appropriation for the Program was vetoed.

4 34 6. Of the funds appropriated in this section, \$60,000
 4 35 shall be used by the department for the fiscal year 1992-1993
 5 1 costs to establish and operate an HIV and AIDS insurance
 5 2 continuation assistance pilot program. The pilot program
 5 3 shall be administered by the medical services division to
 5 4 provide insurance continuation assistance to persons with AIDS

Requires \$60,000 to be used for the Immunodeficiency Virus Infection-Acquired Immune Deficiency Syndrome (HIV-AIDS) Insurance Continuation Pilot Program for a two-year period beginning October 1, 1992.

VETOED: The Governor vetoed this allocation from the

5 5 or HIV-related illnesses who are unable to maintain health
 5 6 insurance premium payments due to illness. The pilot program
 5 7 shall operate for a two-year period beginning October 1, 1992.
 5 8 The funds shall be made available in a manner that provides
 5 9 the assistance, as needed, to recipients at any time until the
 5 10 end of the pilot program or until the appropriated funding is
 5 11 exhausted.

5 12 a. The department shall publicize the program for
 5 13 enrollment of potential participants through provision of
 5 14 information through the Iowa department of public health, the
 5 15 regional AIDS coalitions funded by the Iowa department of
 5 16 public health, physicians, hospitals, social workers, and
 5 17 social service providers, and other groups identified by the
 5 18 coalitions.

5 19 b. The program shall provide all of the following:
 5 20 (1) That an applicant is eligible for participation in the
 5 21 program if all of the following conditions are met:
 5 22 (a) The applicant is a resident of the state.
 5 23 (b) The applicant suffers from AIDS or an HIV-related
 5 24 illness.
 5 25 (c) The applicant has an income of not more than 300
 5 26 percent of the federal poverty level as defined by the most
 5 27 recently revised poverty income guidelines published by the
 5 28 United States department of health and human services and cash
 5 29 assets of not more than \$10,000.
 5 30 (d) The applicant is enrolled in an individual or group
 5 31 private health insurance plan.
 5 32 (e) The applicant is or will be unable, due to AIDS or the
 5 33 HIV-related illness, to continue employment in the applicant's
 5 34 current position or the applicant must significantly reduce
 5 35 hours of employment.
 6 1 (f) Enrollment in the program is the most cost-effective,
 6 2 available means of providing the applicant with health
 6 3 insurance coverage.
 6 4 (2) That an applicant is required to provide the following

Medical Assistance Program for the HIV-AIDS Insurance
 Continuation Pilot Program.

Requires the DHS to publicize the Program through the
 DPH, the regional AIDS coalitions, and other groups
 identified by the coalitions.

VETOED: The Governor vetoed language pertaining to
 the HIV-AIDS Insurance Continuation Pilot Program,
 since the allocation for the Program was vetoed.

Requires the Program to provide the following:

1. An applicant is eligible for participation in
the Program if certain conditions are met.
2. An applicant must provide certain documents to
verify eligibility.
3. An expedited eligibility determination process.
4. A requirement that following the enrollment of a
person with individual or group-based coverage,
the person must apply for Medical Assistance
under certain conditions.
5. All information relating to an applicant is
confidential.
6. Insurance premiums and medical expenses for
which the applicant has no coverage, incurred in
the month of application, shall not be deducted
from the applicant's gross income when
determining eligibility.

VETOED: The Governor vetoed language pertaining to
 the HIV-AIDS Insurance Continuation Pilot Program,

6 5 to verify eligibility for participation in the program:
 6 6 (a) Documentation of income and assets, as required by
 6 7 rule of the department.
 6 8 (b) Documentation through submission of a statement by the
 6 9 applicant's physician that the applicant suffers from AIDS or
 6 10 an HIV-related illness and that the applicant is, or will
 6 11 within a period of six months be, unable to continue
 6 12 employment or be required to significantly reduce hours of
 6 13 employment.
 6 14 (3) An expedited eligibility determination process to
 6 15 ensure that an eligible applicant is not denied coverage under
 6 16 the applicant's existing policy due to nonpayment of premiums
 6 17 during the determination process period. This may include but
 6 18 is not limited to accepting preapplications from any HIV-
 6 19 infected person or the making of payments based on preliminary
 6 20 determinations.
 6 21 (4) A requirement that following enrollment in the
 6 22 program, a person must apply for medical assistance, if the
 6 23 department determines that the person is likely to be eligible
 6 24 for payment of premiums under the medical assistance program.
 6 25 (5) That all information relating to an applicant is
 6 26 confidential information and the provisions of chapter 141 are
 6 27 applicable to the information.
 6 28 (6) Insurance premiums and medical expenses for which the
 6 29 applicant has no coverage, which are incurred in the month of
 6 30 application, shall be deducted from the applicant's gross
 6 31 income for the purpose of determining eligibility for the
 6 32 program.

since the allocation for the Program was vetoed.

6 33 c. The department shall provide a preliminary report to
 6 34 the general assembly by January 1, 1993, and a final report to
 6 35 the general assembly by January 1, 1994, regarding the cost-
 7 1 effectiveness of the pilot program, the impact of the
 7 2 requirements of federal law on the pilot program, and the
 7 3 current and projected costs to the state for payment of
 7 4 medical assistance for the health care costs of persons with
 7 5 AIDS or HIV-related illnesses.

Requires the DHS to provide a preliminary report to the General Assembly by January 1, 1993 and a final report by January 1, 1994 regarding the cost-effectiveness of the Pilot Program, the impact of federal mandates on the Pilot Program, and State costs in Medical Assistance due to the coverage of persons with AIDS or HIV-related illnesses.

7 6 d. For the purposes of this subsection, AIDS and HIV
 7 7 mean AIDS and HIV as defined in section 141.21.

7 8 e. For the purposes of this subsection, health insurance
 7 9 plan includes nonprofit health service corporation contracts
 7 10 regulated under chapter 514 and health maintenance
 7 11 organization evidences of coverage regulated under chapter
 7 12 5148.

7 13 f. Of the funds allocated in this subsection, the
 7 14 department may transfer not more than \$10,000 to the
 7 15 appropriation made in this Act for general administration to
 7 16 be used for administrative costs associated with this program.
 7 17 The department is authorized a 0.5 FTE position in addition to
 7 18 the positions authorized in the appropriation made in this Act
 7 19 for general administration in order to administer the program.

7 20 g. The program shall start by October 1, 1992, and the
 7 21 department is authorized to adopt emergency rules to implement
 7 22 the provisions of this section by that date.

7 23 7. The department shall take action to provide for the
 7 24 continuing medical assistance eligibility without a spend down
 7 25 requirement for those persons whose eligibility is related to

VETOED: The Governor vetoed language pertaining to the HIV-AIDS Insurance Continuation Pilot Program, since the allocation for the Program was vetoed.

Provides that for purposes of this section, AIDS and HIV are defined as in Section 141.21, Code of Iowa.

VETOED: The Governor vetoed language pertaining to the HIV-AIDS Insurance Continuation Pilot Program, since the allocation for the Program was vetoed.

Defines what is included in the **definition** of health insurance plan for the purposes of this subsection.

VETOED: The Governor vetoed language pertaining to the HIV-AIDS Insurance Continuation Pilot Program, since the allocation for the Program ~~was~~ vetoed.

Permits a maximum of \$10,000 to be used for administrative costs associated **with** the Program. Provides that 0.5 FTE position is authorized in addition to the authorized positions in General Administration for the administration of the Program.

VETOED: The Governor vetoed language pertaining to the HIV-AIDS Insurance Continuation Pilot Program, since the allocation for the Program was vetoed.

Requires that the Program start by October 1, 1992.

VETOED: The Governor vetoed language pertaining to the HIV-AIDS Insurance Continuation Pilot Program, since the allocation for the Program was vetoed.

Requires the DHS to take action to provide for continuing Medical Assistance eligibility without a spend down requirement for supplemental security

7 26 federal supplemental security income eligibility and who are
 7 27 eligible for the medically needy program without a spend down
 7 28 requirement. If providing for the continuing eligibility is
 7 29 permitted under federal requirements, the department may adopt
 7 30 emergency rules to implement the eligibility.

income (SSI)-related eligible persons in the
 Medically Needy Program.

VETOED: The Governor vetoed language pertaining to
 the HIV-AIDS Insurance Continuation Pilot Program,
 since the allocation for the Program was vetoed.

7 31 8. The department of human services shall work
 7 32 cooperatively with the department of elder affairs and the
 7 33 area agencies on aging to expedite and improve the assessment
 7 34 and eligibility determination process used for the medical
 7 35 assistance home and community-based waiver program for the
 8 1 elderly.

Requires the DHS to work with the Department of Elder
 Affairs and the Area Agencies on Aging to improve the
 process used for the Medicaid Home and Community
 Based (HCB) Waiver Program for the Elderly.

VETOED: The Governor vetoed language pertaining to
 the Medical Assistance Program, since the
 appropriation for the Program was vetoed.

8 2 9. It is the intent of the general assembly that
 8 3 copayments shall not be charged to recipients for services
 8 4 which are mandatory under federal requirements for the medical
 8 5 assistance program.

Provides it is the intent of the General Assembly
 that no copayments shall be charged for mandatory
 Medical Assistance services.

VETOED: The Governor vetoed language pertaining to
 the Medical Assistance Program, since the
 appropriation for the Program was vetoed.

8 6 10. The department shall actively pursue the potential to
 8 7 fund child welfare services under the early and periodic
 8 8 screening, diagnosis, and treatment (EPSDT) option of the
 8 9 medical assistance program. If the funding is implemented,
 8 10 the department may transfer moneys appropriated in this Act
 8 11 for foster care or home-based services as necessary to pay the
 8 12 nonfederal costs of services reimbursed under EPSDT which are
 8 13 provided to children who would otherwise receive services paid
 8 14 under those appropriations. The department may adopt
 8 15 emergency rules to implement the provisions of this
 8 16 subsection.

Requires the DHS to pursue funding child welfare
 services under the Early and Periodic Screening,
 Diagnosis, and Treatment (EPSDT) option of the
 Medical Assistance Program. Permits the DHS to
 transfer monies for Foster Care and Home-Based
 Services to pay the non-federal costs of specified
 services, if the option is implemented.

VETOED: The Governor vetoed language pertaining to
 the Medical Assistance Program, since the
 appropriation for the Program was vetoed.

8 17 11. Except as otherwise provided in the appropriation made

Requires the counties to pay the non-federal share of

10 9 the department shall not consider moneys received by that
10 10 individual under the federal Social Security Persons Achieving
10 11 Self-Sufficiency (PASS) program or the Income-Related Work
10 12 Expense (IRWE) program to be income. The department shall
10 13 adopt emergency rules to implement the provisions of this
10 14 subsection.

payments for SSA or block grant programs.

10 15 [4. In determining the amount of state supplementary
10 16 assistance provided to a resident of a licensed residential
10 17 care facility which has a Section 8 program contract with
10 18 the United States department of housing and urban development,
10 19 the moneys which the resident must pay under the Section 8
10 20 program shall not be Considered as income. 1

VETOED

Prohibits monies which a resident must pay under "Section 8' from being considered as Income In determining the amount of SSA provided to a resident of a licensed RCF which has a "Section 8" contract.

VETOED: The Governor vetoed this subsection, stating that the provision would require the State to pay an additional \$940,000 annually to RCFs for residents under the SSA Program. He also stated that since this funding is not incorporated into the appropriation for SSA this item cannot be approved.

10 21 Sec. 6. AID TO NATIVE AMERICANS. There is appropriated
10 22 from the general fund of the state to the department of human
10 23 services for the fiscal year beginning July 1, 1992, and
10 24 ending June 30, 1993, the following amount, or so much thereof
10 25 as is necessary, to be used for the purpose designated:
10.26 For aid to Native Americans under section 252.43:
10 27 \$ 36,765

General Fund appropriation to the DHS for Aid to Native Americans. Maintains current level of service.

DETAIL: These funds are distributed by the Tribal Council as a General Relief Program for needy Native Americans on the settlement in Tama County. Residents of the settlement are not eligible for General Relief from Tama County.

10 28 The tribal council shall not use more than 5 percent of the
10 29 funds for administration purposes. The department shall
10 30 report quarterly to the chairpersons and ranking members of
10 31 the joint human services appropriations subcommittee and the
10 32 legislative fiscal bureau concerning aid to Native Americans
10 33 and in addition shall submit an annual report.

Prohibits the Tribal Council from using more than 5.0% of the appropriation for administrative purposes. Requires the DHS to report monthly and annually to specified persons and agencies concerning the Aid to Native Americans expenditures.

10 34 Sec. 7. CHILD DAY CARE ASSISTANCE. There is appropriated

General Fund appropriation to the DHS for the Child

10 35 from the general fund of the state to the department of human
 11 1 services for the fiscal year beginning July 1, 1992, and
 11 2 ending June 30, 1993, the following amount, or *so* much thereof
 11 3 as is necessary, to be used for the purposes designated:
 11 4 For protective child day care assistance and state child
 11 5 care assistance:
 11 6 \$ 7,460,000

Day Care Assistance Program.

DETAIL: This is an increase of \$355,927 compared to the estimated net FY 1992 appropriation. Reflects a 7.0% (\$366,265) provider reimbursement Increase over the FY 1992 level. The FY 1993 budget assumes that 5,945 cases will be funded, which is a caseload increase of 11.3%.

Iowa is expected to receive nearly \$12,500,000 in federal funding for child care programming in FY 1993 compared to approximately \$11,900,000 in FY 1992. These funds will be spent in accordance with the State Child Care Plan as developed by an Advisory Committee.

This is not a mandated program; federal regulations do require states to use this federal funding to supplement, not supplant, currently appropriated funds. This funding level will meet this requirement.

11 7 1. It is the intent of the general assembly that
 11 8 \$3,107,695 of the funds appropriated in this section be used
 11 9 for protective child day care assistance.

Specifies it is the intent of the General Assembly that \$3,107,695 be used for Protective Child Care Assistance. Maintains current level of service.

11 10 2. It is the intent of the general assembly that
 11 11 \$2,293,412 of the funds appropriated in this section be used
 11 12 for state child care assistance.

Specifies it is the intent of the General Assembly that \$2,293,412 be used for Child Day Care Assistance for employed Iowans with low incomes.

DETAIL: This funds an increase of 603 cases (33.6%), from 1,795 cases in FY 1992 to 2,398 in FY 1993.

11 13 3. a. The funds allocated in this section for protective
 11 14 and state child care assistance shall be allocated to the
 11 15 department of human services regions and each region shall
 11 16 distribute the allocation to the counties within the region.

Requires that the appropriation for Child Day Care Assistance be distributed to the DHS regions, and the regions distribute the funds to the counties. Permits regions to transfer funds from a county if

11 17 If a region determines that a specified portion of the funds
 11 18 provided to a county in that region is sufficient to meet the
 11 19 county's current demand and projected growth, the region may
 11 20 transfer the excess amount of funds to another county in that
 11 21 region. If the region determines that a specified portion of
 11 22 the funds provided to the region is sufficient to meet the
 11 23 region's current demand and projected growth for the remainder
 11 24 of the fiscal year, the excess amount may be transferred for
 11 25 use in another region.

current demand and projected growth can be met with the remaining funds. Permits transfers between regions if the same criteria are met.

11 26 b. For state child care assistance, eligibility shall be
 11 27 limited to children whose family income is equal to or less
 11 28 than 155 percent of the federal office of management and
 11 29 budget poverty guidelines. However, on or after October 1,
 11 30 1992, the department may increase the income eligibility limit
 11 31 to be equal to or less than 75 percent of the Iowa median
 11 32 family income. Every effort shall be made to provide
 11 33 assistance for the entire fiscal year to families remaining
 11 34 eligible before providing assistance to eligible families who
 11 35 have not received assistance previously. For the entire
 12 1 fiscal year, the department shall utilize the priority ranking
 12 2 of requirements for families who receive assistance developed
 12 3 pursuant to 1991 Iowa Acts, chapter 267, section 109,
 12 4 subsection 3, paragraph b, with special priority given to
 12 5 foster care families within the income guidelines.

Requires the DHS to set eligibility for Child Day Care Assistance at 155.0% of federal poverty guidelines. Permits the DHS to increase income eligibility limits to 75.0% of the Iowa median family income. Requires the DHS to make every effort to provide assistance for the entire year to families remaining eligible before assisting additional families. Specifies a priority ranking system.

DETAIL: Current law sets eligibility at 150.0% of federal poverty guidelines.

12 6 c. The department may adopt emergency rules necessary to
 12 7 qualify to receive funding from the federal child care
 12 8 development block grant and the federal at-risk child care
 12 9 program. If required as a condition of receiving these funds,
 12 10 the rules may provide for eligibility, health and safety
 12 11 requirements, parental access to children, reimbursement
 12 12 rates, types of service provided, licensing standards,
 12 13 complaint registration procedures, or other rules necessary to
 12 14 establish a simplified or consolidated child day care policy.

Permits the DHS to adopt administrative rules as needed to qualify for federal child care funding. Specifies items these rules may contain, if required as a condition of receiving the federal funds.

12 15 d. Nothing in this section shall be construed or is

Provides that the Child Care Assistance is not an

12 16 intended as, or shall imply, a grant of entitlement for
 12 17 services to persons who are eligible for assistance due to an
 12 18 income level consistent with the requirements of this section
 12 19 Any state obligation to provide services pursuant to this
 12 20 section is limited to the extent of the funds appropriated in
 12 21 this section.

entitlement, and that any State obligation is limited
 to the extent of funds available.

12 22 4. Of the funds appropriated in this section, \$633,931 is
 12 23 allocated for the fiscal year beginning July 1, 1992, for the
 12 24 statewide program for child day care resource and referral
 12 25 services under section 237A.26.

Requires \$633,931 be allocated for the statewide
 Child Day Care Resource and Referral Program. This
 is an increase of \$343,681 (118.4%) compared to the
 estimated net FY 1992 allocation.

12 26 5. The department may use any of the funds appropriated in
 12 27 this section as a match to obtain federal grants for use in
 12 28 expanding child day care assistance and related programs.

Permits the DHS to use funds appropriated for Child
 Day Care Assistance as match to obtain federal grants
 for use in expanding child day care programming.

12 29 6. Of the funds appropriated in this section, \$866,265
 12 30 shall be used to increase the reimbursement rate paid for
 12 31 child day care provided by child care centers in order to
 12 32 enhance the quality of child care centers. However, any
 12 33 reimbursement increase provided under this subsection shall
 12 34 not cause the provider's reimbursement rate to exceed the
 12 35 provider's actual and allowable cost plus the inflationary
 13 1 increase authorized in the section of this Act relating to
 13 2 provider reimbursement. The department may adopt emergency
 13 3 rules to implement the provisions of this subsection.

Requires that \$866,265 be used to increase the
 reimbursement rate paid for child care. The
 reimbursement rates are to be increased 7.0% compared
 to estimated net FY 1992 rates.

13 4 7. Of the funds appropriated in this section, the
 13 5 department shall use \$233,735, or so much thereof as is
 13 6 necessary, to increase the department's staff in order to meet
 13 7 federal requirements.

Requires that \$233,735 be used to increase the DHS
 staff to meet federal requirements.

13 8 8, a. It is the intent of the general assembly that
 13 9 \$324,962 of the funds appropriated in this section shall be
 13 10 used for transitional child care assistance.

Specifies it is the intent of the General Assembly
 that \$324,962 shall be used for Transitional Child
 Care for persons leaving the AFDC program. Former
 AFDC recipients are eligible for 12 months of
 subsidized child care. Maintains current level of

13 11 b. Notwithstanding section 239.21, the department of human
 13 12 services shall provide the transitional child care assistance
 13 13 in accordance with the federal Family Support Act of 1988,
 13 14 Pub. L. No. 100-485, } 302, and applicable federal
 13 15 regulations. Reimbursement for services shall be limited to
 13 16 registered or licensed child day care providers and programs
 13 17 providing care, supervision, or guidance of a child which is
 13 18 not included under the definition of child day care pursuant
 13 19 to section 237A.1. subsection 4.

service.

CODE: Requires the DHS to comply with the Federal Support Act of 1988 and applicable federal regulations in the Transitional Child Care Program.

13 20 9. The department shall consider the feasibility of
 13 21 establishing a school-age child care pilot program involving
 13 22 regular contact between children and elder lowans who are
 13 23 nursing home residents. The areas of consideration may
 13 24 include but are not limited to identifying potential nursing
 13 25 home or adult day care sites, school-age child day care
 13 26 providers, and transportation, safety, program, staff, and
 13 27 facility requirements. The department shall report to the
 13 28 governor and the general assembly on or before January 15,
 13 29 1993, concerning the feasibility of establishing a pilot
 13 30 program during the 1993-1994 fiscal year.

Requires the DHS to consider the feasibility of establishing a School-Age Child Care Pilot Program involving regular contact between children and elder nursing home residents. Requires the DHS to report to the Governor and the General Assembly by January 15, 1993 regarding the feasibility of implementing the Program during FY 1994.

13 31 Sec. 8. JOBS PROGRAM. There is appropriated from the
 13 32 general fund of the state to the department of human services
 13 33 for the fiscal year beginning July 1, 1992, and ending June
 13 34 30, 1993, the following amount, or so much thereof as is
 13 35 necessary, to be used for the purposes designated:

General Fund appropriation to the DHS for training programs for welfare recipients.

14 1 For the federal-state job opportunities and basic skills
 14 2 (JOBS) program, food stamp employment and training program,
 14 3 and family development and self-sufficiency grants, in
 14 4 accordance with this section:
 14 5 \$ 4,960,000

DETAIL: This is an increase of \$891,192 compared to the estimated net FY 1992 appropriation.

Every state is mandated to have a Job Opportunities and Basic Skills (JOBS) Training Program for AFDC recipients, but the implementation of the Program is left to state discretion.

14 6 1. Of the funds appropriated in this section, \$4,050,701
 14 7 is allocated for the JOBS program.

Requires \$4,050,701 be allocated for the PROMISE JOBS Program.

<p>14 8 2. Of the funds appropriated In this section, \$129,985 is 14 9 allocated for the food stamp employment and training program.</p>	<p>14 10 3. The department shall work with family development and 14 11 self-sufficiency grantees and the state's community action 14 12 agencies to develop an administrative process for initiatives 14 13 which raise local funds to match federal funds under the JOBS 14 14 program in order to expand or to develop additional family 14 15 development program initiatives.</p>	<p>14 16 4. Of the funds appropriated in this section, \$779,314 is 14 17 allocated to the family development and self-sufficiency grant 14 18 program as provided under section 217.12.</p>	<p>14 19 a. Not more than 5 percent of the funds allocated in this 14 20 subsection shall be used for the administration of the grant 14 21 program.</p>	<p>14 22 b. Federal funding matched by state, county, or other 14 23 funding which is not appropriated in this section shall be 14 24 deposited in the department's JOBS account. If the match 14 25 funding is generated by a family development and self-</p>	<p>DETAIL: This \$400,000 increase to the PROMISE JOBS Program will allow the DHS to serve 1,022 additional clients, which is an 11.6% increase compared to the FY 1992 level of 8,818 clients.</p> <p>Requires \$129,985 be used for the Food Stamp Employment and Training Program.</p> <p>DETAIL: This will fund an additional 467 clients, which is a 116.8% increase over the FY 1992 level of 400 clients.</p> <p>Requires the DHS to work with Family Development and Self-Sufficiency (FADSS) grantees and community action agencies to develop an administrative process that permits local fundraising in order to implement expanded family development initiatives.</p> <p>Requires the DHS to allocate \$779,314 to the FADSS Program.</p> <p>DETAIL: In addition to these State funds, the Program will receive \$468,000 in federal funds. In prior years, federal match was used for the AFDC Program, but the match will now be directly applied to the FADSS Program.</p> <p>Requires no more than 5.0% of the appropriation be spent on program administration of the FADSS grants.</p> <p>Specifies the use of federal match funding generated by the FADSS Program.</p>
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14 26 sufficiency grantee, the federal funding received shall be
 14 27 used to expand the family development and self-sufficiency
 14 28 grant program. If the match funding is generated by another
 14 29 source, the federal funding received shall be used to expand
 14 30 the grant program or the JOBS program. The department may
 14 31 adopt emergency rules to implement the provisions of this
 14 32 paragraph.

14 33 c. Of the funding allocated in this subsection, the family
 14 34 development and self-sufficiency council may use up to
 14 35 \$200,000 to increase existing grants in an amount which does
 15 1 not exceed 110 percent of the fiscal year 1991-1992 grant
 15 2 amount and to award not more than two new grants. The council
 15 3 shall award new grants in a manner to expand the program into
 15 4 areas which document a strong commitment to family development
 15 5 and self-sufficiency and are not currently receiving a grant.
 15 6 The expansion grants shall be awarded on or before January 1,
 15 7 1993, for a period ending June 30, 1993.

Permits use of \$200,000 to renew existing FADSS grants in an amount up to 110.0% of an annual grant amount, and to award not more than 2 new grants in areas which document a strong commitment to the FADSS Program.

15 8 d. Based upon the annual evaluation report concerning each
 15 9 grantee funded by this allocation, the family development and
 15 10 self-sufficiency council may use funds allocated to renew
 15 11 grants.

Permits the FADSS Council to renew grants based upon the annual evaluation.

15 12 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated
 15 13 from the general fund of the state to the department of human
 15 14 services for the fiscal year beginning July 1, 1992, and
 15 15 ending June 30, 1993, the following amount, or so much thereof
 15 16 as is necessary, to be used for the purposes designated:
 15 17 For child support recovery, including salaries, support,
 15 18 maintenance, miscellaneous purposes, and for not more than the
 15 19 following full-time equivalent positions:

General Fund appropriation to the DHS for the Child Support Recovery (CSR) Program.

15 20	\$	3,750,000
15 21	FTEs	255.49

DETAIL: This is an increase of \$785,290 and 28.49 FTE positions compared to the estimated net FY 1992 appropriation. Reflects the addition of \$61,141 and 3.19 FTE positions for a public awareness campaign proposed by the Attorney General and the addition of \$166,396 and 8.30 FTE positions to maximize recoveries in public assistance cases. Most additional staff are directed at complying with federal requirements.

15 22 1. The director of human services, within the limitations
 15 23 of the funds appropriated in this section, or funds
 15 24 transferred from the aid to families with dependent children
 15 25 program for this purpose, shall establish new positions and
 15 26 add additional employees to the child support recovery unit if
 15 27 the director determines that both the current and additional
 15 28 employees together can reasonably be expected to maintain or
 15 29 increase net state revenue at or beyond the budgeted level.
 15 30 If the director adds additional employees, the department
 15 31 shall demonstrate the cost-effectiveness of the current and
 15 32 additional employees by reporting to the joint human services
 15 33 appropriations subcommittee the ratio of the total amount of
 15 34 administrative costs for child support recoveries to the total
 15 35 amount of the child support recovered.

16 1 2. Notwithstanding section 2528.4, nonpublic assistance
 16 2 application and user fees received by the child support
 16 3 recovery program are appropriated and shall be used for the
 16 4 purposes of the child support recovery program. The director
 16 5 of human services may exceed the full-time equivalent position
 16 6 limit authorized in this section if fees collected relating to
 16 7 the new positions are sufficient to pay the salaries and
 16 8 support for the positions. The director shall report any new
 16 9 positions added pursuant to this subsection to the
 16 10 chairpersons and ranking members of the joint human services
 16 11 appropriations subcommittee and the legislative fiscal bureau.
 16 12 If a statute enacted by the Seventy-fourth General Assembly,
 16 13 1992 Session, authorizes the department to charge an annual
 16 14 cost recovery fee to nonpublic assistance users of child
 16 15 support recovery services, the fee may be deducted from
 16 16 support paid in fiscal year 1992-1993, unless the user elects

Iowa is mandated to comply with various federal procedural requirements for the CSR Program, and receives incentive payments which are used to offset AFDC expenditures based upon cost-effectiveness statistics.

Requires the DHS to add employees for the CSR Program, when the cost-effectiveness ratio exceeds 2-to-1. Permits the DHS to add employees when the cost-effectiveness ratio is 1-to-1, if the staff are required to comply with federal requirements. Requires the DHS to report to the Human Services Appropriations Subcommittee on the ratio of administrative costs for child support recoveries to the amount of the child support recoveries.

DETAIL: DHS has added employees under this provision in past years.

CODE: Requires that fees collected from payees receiving child support who are not recipients of public assistance or foster care services will be used for the purposes of the CSR Program. Allows the DHS to add employees if fees collected make the positions cost-effective. Specifies use of annual fees collected.

DETAIL: Under current law 10.0% of the fees would be deposited in the General Fund. Child support obligees who are not receiving public assistance and who request enforcement services from the DHS are charged a one-time application fee of \$25.00 and an annual fee of \$10.65. Only 50.0% of the obligees are paying this fee; those who do not pay will no longer receive enforcement services.

16 17 to pay the fee directly. The department shall continue to
 16 18 provide child support recovery services to persons who were
 16 19 notified during fiscal year 1991-1992 that services would not
 16 20 be continued if an annual cost recovery fee was not paid. The
 16 21 department may adopt emergency rules as necessary to implement
 16 22 the provisions of this subsection.

16 23 3. The director of human services, in consultation with
 16 24 the department of management and the legislative fiscal
 16 25 committee, is authorized to receive and deposit state child
 16 26 support incentive earnings in the manner specified under
 16 27 applicable federal requirements.

Permits the DHS, in consultation with the Department of Management (DOM) and the Legislative Fiscal Committee, to receive federal child support incentive payments consistent with applicable federal requirements.

16 28 4. The director of human services may establish new
 16 29 positions and add additional state employees to the child
 16 30 support recovery unit if the director determines the employees
 16 31 are necessary to replace county-funded positions eliminated
 16 32 due to termination, reduction, or nonrenewal of a chapter 28E
 16 33 contract. However, the director must also determine that the
 16 34 resulting increase in the state share of child support
 16 35 recovery incentives exceeds the cost of the positions, the
 17 1 positions are necessary to ensure continued federal funding of
 17 2 the program, or the new positions can reasonably be expected
 17 3 to recover more than twice the amount of money to pay the
 17 4 salaries and support for the new positions.

Permits the DHS to establish new positions in the CSR Program to replace any county-funded positions which are eliminated due to the lack of a Chapter 28E contract, if 1 of 3 specified conditions is met.

17 5 5. Funding is provided within the appropriation made in
 17 6 this section for the department's expenses relating to a child
 17 7 support public awareness campaign. The department shall
 17 8 cooperate with the attorney general as necessary for
 17 9 implementation of the campaign.

Provides that the appropriation for the CSR Program includes funding for the DHS' expenses related to a child support public awareness campaign. Requires the DHS to cooperate with the Attorney General to implement the campaign..

17 10 Sec. 10. JUVENILE INSTITUTIONS. There is appropriated
 17 11 from the general fund of the state to the department of human
 17 12 services for the fiscal year beginning July 1, 1992, and
 17 13 ending June 30, 1993, the following amounts, or so much

General Fund appropriation to the DHS for the juvenile institutions at Toledo and Eldora.

DETAIL: This is a decrease of \$100,061 and 5.15 FTE

17 14 thereof as is necessary, to be used for the purposes
 17 15 designated:
 17 16 For the operation of the state training school and the Iowa
 17 17 juvenile home, including salaries, support, maintenance,
 17 18 miscellaneous purposes, and for not more than the following
 17 19 full-time equivalent positions:
 17 20 For the state juvenile institutions:
 17 21 \$ 11,810,000
 17 22 FTEs 327.69

positions compared to the estimated net FY 1992
 appropriation.

17 23 1. The following amount of the funds appropriated and FTEs
 17 24 authorized in this section are allocated for the Iowa juvenile
 17 25 home at Toledo:
 17 26 \$ 4,340,000
 17 27 FTEs 119.47

Allocates \$4,340,000 and 119.47 FTE positions to the
 Iowa Juvenile Home at Toledo.

DETAIL: This is a decrease of \$52,711 and 1.14 FTE
 positions compared to the estimated net FY 1992
 appropriation. The decrease reflects flattening the
 organizational structure and the elimination of audit
 costs.

17 28 2. The following amount of the funds appropriated and
 17 29 full-time equivalent positions authorized in this section are
 17 30 allocated for the state training school at Eldora:
 17 31 \$ 7,470,000
 17 32 FTEs 208.22

Allocates \$7,470,000 and 208.22 FTE positions to the
 State Training School at Eldora.

DETAIL: This is a decrease of \$47,350 and 4.01 FTE
 positions compared to the estimated net FY 1992
 appropriation. The decrease is due to flattening the
 organizational structure by 1.00 FTE position and
 eliminating the General Fund share of audit expenses.

17 33 3. It is the intent of the general assembly that during
 17 34 the fiscal year beginning July 1, 1992, the population levels
 17 35 at the state juvenile institutions shall not exceed the
 18 1 population guidelines established under 1990 Iowa Acts,
 18 2 chapter 1239, section 21. It is also the intent of the
 18 3 general assembly that each state juvenile institution shall
 18 4 apply for an adolescent pregnancy prevention grant for the

Specifies it is the intent of the General Assembly
 that the population levels at the State juvenile
 institutions not exceed the population guidelines
 established by the General Assembly in 1990. Also
 specifies it is the intent of the General Assembly
 that the State juvenile institutions each apply for
 an adolescent pregnancy prevention grant in FY 1992.

18 5 fiscal year beginning July 1, 1992.

DETAIL: The Juvenile Home at Toledo is budgeted for 92 residents, and the Training School at Eldora is budgeted for 185 residents.

18 6 4. Within the funds appropriated in this section, the
18 7 department may reallocate funds as necessary to best fulfill
18 8 the needs of the institutions provided for in this
18 9 appropriation.

Permits the DHS to reallocate funds between the 2 juvenile institutions to best fulfill the needs of the institutions. Requires the DHS to report to the LFB monthly on institutional expenditures.

18 10 5. The department shall report to the legislative fiscal
18 11 bureau, on or before the twentieth day of each month, the
18 12 department's current expenditures for the institutions
18 13 receiving allocations under this appropriation. The report
18 14 shall include a comparison of actual to budgeted expenditures
18 15 for each institution.

18 16 Sec. 11. CHILD WELFARE TASK FORCE.

18 17 1. DUTIES. An interdisciplinary child welfare task force
18 18 is established to present recommendations to the governor and
18 19 the general assembly relating to the design of a financing
18 20 system for child welfare, juvenile justice, and mental health
18 21 services for children which provides a family-centered,
18 22 community-based, and prevention-oriented response to families
18 23 with children currently served in out-of-home placements. The
18 24 task force shall complete its duties on or before June 30,
18 25 1994. The task force shall do all of the following:

Establishes a new interdisciplinary Child Welfare Task Force to recommend a design for financing services for children. Requires completion of the Task Force's duties no later than June 30, 1994.

18 26 a. Develop a more flexible state financing system for
18 27 child welfare that allows funding which is currently available
18 28 only for out-of-home placements to be used for alternative
18 29 services that can prevent the need for out-of-home placements.

18 30 b. Develop a flexible financing system within the range of
18 31 options available for out-of-home placements which provide
18 32 sufficient support to maintain children, who currently are
18 33 generally placed in remote and institutional settings, in more
18 34 community-based and family-like settings.

18 35 c. Recommend ways to redirect existing expenditures in

19 1 order to meet the best interests of children, preserve
 19 2 families, and employ the least restrictive placements.
 19 3 d. Outline the long-term needs of Iowa for the following
 19 4 services: family-centered; family preservation; day
 19 5 treatment; protective day care and crisis nursery; family
 19 6 foster care emphasizing reunification; family foster care
 19 7 supporting children with special health care needs; family
 19 8 foster care providing therapeutic support to troubled and
 19 9 troubling children; adoption; subsidized adoption; independent
 19 10 living; residential treatment; enhanced residential treatment;
 19 11 psychiatric medical institution for children; state
 19 12 psychiatric hospitalization; state training school; Iowa
 19 13 juvenile home; private psychiatric hospitalization; shelter
 19 14 care; detention; residential juvenile substance abuse
 19 15 treatment; and nonresidential juvenile substance abuse
 19 16 treatment. In developing this outline, attention should be
 19 17 given to reducing the overall needs for institutional care
 19 18 through greater development of alternatives to that care.
 19 19 e. Identify financing options that can make use of greater
 19 20 federal financial participation in the development of
 19 21 alternatives to institutional placement.
 19 22 f. Develop a financial process to reward counties involved
 19 23 in the demonstration program to decategorize child welfare
 19 24 funding for their efforts to reduce the number of children
 19 25 placed in state institutions.
 19 26 g. Monitor the efforts of the regional out-of-state
 19 27 placement committees, as established in House File 2480, if
 19 28 enacted by the Seventy-fourth General Assembly, 1992 Session,
 19 29 to reduce out-of-state placements by 25 percent by June 30,
 19 30 1994.
 19 31 h. Investigate the efforts used by other states to return
 19 32 children who have been placed out-of-state, including any
 19 33 training programs.
 19 34 i. Investigate the potential of using funding currently
 19 35 expended for children placed out-of-state as matching funding
 20 1 for services in this state in order to retain those children
 20 2 in this state.

20 3 j. Investigate the potential of using medical assistance
 20 4 funding available under section 1915a of the federal Social
 20 5 Security Act in decategorization counties as a model for
 20 6 developing a flexible financing system.

20 7 2. MEMBERSHIP. The interdisciplinary task force
 20 8 membership shall include the following persons:
 20 9 a. The administrator of the division of adult, children,
 20 10 and family services of the department of human services.
 20 11 b. The administrator of the division of mental health,
 20 12 mental retardation, and developmental disabilities of the
 20 13 department of human services.
 20 14 c. A juvenile court judge or referee appointed by the
 20 15 chief justice.
 20 16 d. A juvenile court officer appointed by the chief
 20 17 justice.
 20 18 e. Two members of county boards of supervisors appointed
 20 19 by the Iowa state association of counties.
 20 20 f. A county attorney appointed by the Iowa county
 20 21 attorney's association.
 20 22 g. A protective service investigator, a protective service
 20 23 treatment worker, a family preservation worker, and a foster
 20 24 care worker, appointed by the director of human services.
 20 25 h. A director of a community mental health center
 20 26 appointed by the community mental health centers association
 20 27 of Iowa.
 20 28 i. Two providers offering both residential and
 20 29 nonresidential services to families appointed by the coalition
 20 30 for children and family services.
 20 31 j. A director of a rehabilitation or residential facility
 20 32 appointed by the Iowa association of rehabilitation and
 20 33 residential facilities.
 20 34 k. A member of the general assembly appointed by the
 20 35 legislative council.
 21 1 l. Representatives from other state agencies, and from
 21 2 business, legal services, and child advocacy interests
 21 3 approved by the task force.

Specifies the membership of the Child Welfare Task Force, and specifies that the appointing organizations shall pay per diem and travel expenses for the members.

21 4 The appointing organizations shall be responsible for
21 5 providing any per diem and travel and meal expenses for the
21 6 members of the task force.

21 7 3. ORGANIZATION. The task force may establish
21 8 subcommittees and work groups as deemed necessary to perform
21 9 its duties. The task force may expand its membership or
21 10 utilize other interested persons on its subcommittees and work
21 11 groups, as deemed appropriate. The department of human
21 12 services shall seek outside support from foundations and other
21 13 organizations to provide technical assistance and to carry out
21 14 the management of the task force. The task force shall hold
21 15 an initial meeting no later than July 30, 1992.

Specifies that the Child Welfare Task Force may establish subcommittees and work groups, and may expand its membership or utilize other interested persons. Requires the DHS to seek outside technical assistance and management assistance. Requires the Task Force to initially meet no later than July 30, 1992.

21 16 4. REPORTS. The task force shall issue an initial report
21.17 by December 15, 1992, which shall include preliminary
21 18 recommendations regarding the establishment of a more flexible
21 19 financing system for child welfare services in the state and
21 20 the identification of the types of services to serve children
21 21 and families that will be needed in the long-term. The report
21 22 shall include additional recommendations and a work plan. The
21 23 task force shall complete an additional report by September
21 24 15, 1993.

Specifies that the Child Welfare Task Force shall issue an initial report by December 15, 1992 and specifies the contents of that report. Requires an additional report by September 15, 1993.

21 25 Sec. 12. FOSTER CARE. There is appropriated from the
21 26 general fund of the state to the department of human services
21 27 for the fiscal year beginning July 1, 1992, and ending June
21 28 30, 1993, the following amount, or so much thereof as is
21 29 necessary, to be used for the purpose designated:

General Fund appropriation to the DHS for Foster Care services.

21 30 For foster care:
21 31 \$ 47,520,000

DETAIL: This is a decrease of \$12,928,069 compared to the estimated net FY 1992 appropriation.

Reflects savings of \$3,861,790 from making persons age 18 and older ineligible for group foster care, persons age 19 and older Ineligible for family foster care, and persons age 20 and older ineligible for independent living. Reflects savings of \$3,500,952 from reductions in the number of voluntary foster care placements longer than 1 month by expanded

<p>21 32 1. a. For fiscal year 1992-1993, the statewide target, as 21 33 provided for in section 232.143, if enacted in House File 2480 21 34 by the Seventy-fourth General Assembly, 1992 Session, for the 21 35 average number of children placed in group foster care in any 22 1 day of the fiscal year which are a charge upon or are paid for 22 2 by the state, shall be 1,405. The department may adopt 22 3 emergency rules in order to implement the provisions of this 22 4 subsection on July 1, 1992. 22 5 b. If section 232.143 is enacted, in each quarter of the 22 6 fiscal year, the department shall compare the actual number of 22 7 group foster care placements in a region and the targets 22 8 allocated to the region for that quarter. The department 22 9 shall develop a methodology to provide, within the funds 22 10 allocated in this subsection, fiscal incentives to regions 22 11 which have reduced the number or length of group foster care 22 12 placements below the targeted levels. The fiscal incentives 22 13 shall be used by a region to maintain or further the region's 22 14 reduction in the number or length of group foster care 22 15 placements. 22 16 c. The department shall report quarterly to the 22 17 legislative fiscal bureau concerning the status of each 22 18 region's efforts to limit the number of group foster care 22 19 placements in accordance with the regional plan established 22 20 pursuant to section 232.143. 22 21 d. It is the intent of the general assembly that the 22 22 average reimbursement rates paid for placement of children 22 23 out-of-state shall not exceed the maximum reimbursement rate</p>	<p>alternative services. Reflects savings of \$617,898 from reductions in the number of children in group foster care by expanded needs-based foster care. Reflects an addition of \$1,000,000 to provide services for persons age 18 and older who are losing eligibility for foster care to avoid hardship and homelessness. Reflects savings of \$1,000,000 from expanded efforts to qualify children in foster care for federal Supplemental Security Income.</p> <p>Requires the group foster care target to be 1,405, if HF 2480 (Child Welfare Statutory bill) is enacted. Requires DHS to develop a methodology for fiscal incentives for the DHS regions which reduce group foster care placements. Requires the DHS to report quarterly to the Legislative Fiscal Bureau concerning efforts to limit group foster care placements. Limits average reimbursement rates for out-of-state placements to the maximum reimbursement rate paid to foster care providers in Iowa.</p> <p>NOTE: House File 2480 was signed by the Governor.</p>
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22 24 paid to providers in this state.

22 25 2. The department may transfer a portion of the funds
 22 26 appropriated in this section to provide subsidized adoption
 22 27 services, purchase adoption services, or to provide less
 22 28 restrictive treatment programs than foster care, if funds
 22 29 allocated under the appropriation in this Act for home-based
 22 30 services are insufficient.

Permits the DHS to transfer funds from the Foster Care appropriation to services which are less expensive and less restrictive.

DETAIL: This language is designed to contain foster care costs by permitting expanded alternative, in-home services which avert out-of-home placements.

22 31 3. On or before April 1, 1993, the department and state
 22 32 court administrator shall enter into a chapter 28E agreement
 22 33 which enables the state to receive funding for eligible cases
 22 34 under the federal Social Security Act, Title IV-E. The
 22 35 agreement shall provide for adequate compensation to the court
 23 1 for any additional administrative costs necessary to secure
 23 2 the funding and shall not limit the discretion of the court in
 23 3 making determinations in the best interests of a child.

Requires the DHS and the State Court Administrator to work together in implementing an agreement which allows the State to receive federal Title IV-E funding.

23 4 4. Not more than 25 percent of the children placed in
 23 5 foster care funded under the federal Social Security Act,
 23 6 Title IV-E, shall be placed in foster care for a period of
 23 7 more than 24 months.

Prohibits the DHS from placing more than 25.0% of children funded with federal dollars in foster care for more than 24 months.

DETAIL: This is the same percentage limitation as in FY 1992.

23 8 5. The department may use up to \$828,000 of the funds
 23 9 appropriated in this section to develop additional therapeutic
 23 10 foster care programs in the state. The programs shall provide
 23 11 respite and special support services to foster parents to
 23 12 enable them to serve in an active treatment capacity with the
 23 13 children under their care. Funding allocated in this
 23 14 subsection shall also be used to reimburse foster parents for
 23 15 their services. The funding is intended to serve at least 60
 23 16 more children than were served in therapeutic foster care in
 23 17 fiscal year 1991-1992. The department may adopt emergency
 23 18 rules relating to program standards for therapeutic foster

Permits the DHS to use \$828,000 to expand therapeutic foster care programs which include respite and special support services to foster parents. Specifies that the intent is to serve at least 60 additional children than were served in FY 1992.

DETAIL: Group foster care placements may be reduced as a result of this expansion.

PG LN	Senate File 2355	Explanation
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23 19 care.

23 20 6. Of the funds appropriated in this section, up to
 23 21 \$987,393 may be used to develop and maintain the state's
 23 22 implementation of the national adoption and foster care
 23 23 information system pursuant to the requirements of Pub. L. No.
 23 24 99-509. In developing the system the department shall involve
 23 25 representatives of the court, service providers, advocates,
 23 26 and other persons interested in the adoption and foster care
 23 27 process.

Permits the DHS to use \$987,393 to develop and maintain a federally mandated automated information system for foster care and adoption.

23 28 7. Of the funds appropriated in this section, \$104,625 may
 23 29 be used to contract to develop a statewide system for
 23 30 recruiting, retaining, and supporting foster care families
 23 31 consistent with the recommendation of the department's family
 23 32 foster care advisory committee. The department shall involve
 23 33 the family foster care advisory committee in developing a
 23 34 request for proposals for the contract. The committee shall
 23 35 also be involved in reviewing proposals, overseeing the work
 24 1 of the contractor, and further defining needs in the system.
 24 2 The department shall also involve the committee in seeking new
 24 3 financial support for enhancing the family foster care system.
 24 4 including government and foundation grants.

Permits use of \$104,625 to contract for a statewide system of recruiting, retaining, and supporting foster care families. The system shall be consistent with and involve the Family Foster Care Advisory Committee.

24 5 8. The department shall continue the demonstration program
 24 6 to decategorize child welfare services in the five counties in
 24 7 which the program has commenced. The department may approve
 24 8 additional applications from a county or cluster of counties
 24 9 to initiate a demonstration program provided the department,
 24 10 the boards of supervisors in the counties, and the affected
 24 11 judicial districts agree to implement the program. The
 24 12 schedule for implementing the demonstration program in
 24 13 additional counties shall provide that the program be
 24 14 implemented on or after January 1, 1993. The department shall
 24 15 establish for the demonstration program counties a child
 24 16 welfare fund composed of all or part of the amount that would
 24 17 otherwise be expected to be used for residents of the counties

Requires the DHS to continue the Demonstration Program to decategorize child welfare services.

Permits the DHS to implement the Demonstration Program in additional counties or clusters of counties. The Program in the additional areas is to be implemented after January 1, 1993.

CODE: Requires the DHS to transfer funds from the affected appropriation to establish the Child Welfare Fund, notwithstanding other service funding provisions in law.

24 18 for foster care, family-centered services, subsidized
 24 19 adoption, child day care, local purchase of services, state
 24 20 juvenile institution care, mental health institute care, state
 24 21 hospital-school care, juvenile detention, department-direct
 24 22 services, and court-ordered evaluation and treatment of
 24 23 juvenile services. Notwithstanding any other provision of
 24 24 law, the fund shall be considered encumbered. Notwithstanding
 24 25 other service funding provisions in law, the department shall
 24 26 establish the fund by transferring funds from the budgets
 24 27 affected, except for the funds appropriated for the state
 24 28 mental health institutes, the state hospital-schools, the
 24 29 state training school, and the Iowa juvenile home which shall
 24 30 remain on account for the county at these institutions. By
 24 31 June 15, 1992, the department shall inform each demonstration
 24 32 program county of the estimated amount that will be available
 24 33 in the county's child welfare fund and on account at the
 24 34 institutions for that county during the ensuing fiscal year.
 24 35 The department shall confirm each county's budgeted amount by
 25 1 October 1, 1992. A limited amount of the fund may be used to
 25 2 support services and reimbursement rates not allowable within
 25 3 historical program or service categories and administrative
 25 4 rules. In addition, a limited amount of the child welfare
 25 5 fund may be used for emergency family assistance to provide
 25 6 resources for a family to remain together or to be unified.
 25 7 It is the intent of the general assembly that the
 "25 8 demonstration program be designed to operate in a county for a
 25 9 three-year period. The three-year time period for a
 25 10 decategorization project in Dubuque, Linn, Polk,
 25 11 Pottawattamie, or Scott county shall be considered to begin on
 25 12 January 1 in the first year following the year in which the
 25 13 county's decategorization project was approved by the
 25 14 department.

25 15 9. The department shall implement changes in group foster
 25 16 care maintenance and service definitions to be consistent with
 25 17 the definitions under Title IV-E of the federal Social
 25 18 Security Act. State funding saved in excess of the amount

CODE: Requires the DHS to change the definition of group foster care maintenance and service, in order to be consistent with federal law. Requires that any savings shall be used to implement the system changes

25 19 budgeted for federal financial participation provided under
 25 20 Title IV-E which is received as a result of the definition
 25 21 changes, shall be used to implement the system changes
 25 22 recommended by the family foster care advisory committee
 25 23 pursuant to subsection 7. Notwithstanding any provision of
 25 24 law to the contrary, any state funding identified as saved in
 25 25 excess of the amount budgeted for the federal financial
 25 26 participation shall be considered encumbered, for the purposes
 25 27 of this subsection, at the time of identification.

recommended by the Family Foster Care Advisory
 Committee.

25 28 10. The department shall draw from the reasonable efforts
 25 29 model court project in continuing training seminars for child
 25 30 welfare practitioners throughout the state on the use of
 25 31 reasonable efforts to prevent or eliminate the need for
 25 32 removal of a child from the child's home. In addition, the
 25 33 department shall draw upon the reasonable efforts model court
 26 34 project in working with the supreme court to provide ongoing
 26 35 instruction and technical assistance in selected counties in
 26 1 the state concerning application of reasonable efforts.
 26 2 Counties shall be selected by targeting those with a high rate
 26 3 of placing children outside the children's homes. The
 26 4 recipients of technical assistance shall include court
 26 5 officials, department of human services referral workers, and
 26 6 child welfare service providers. Trainers shall include
 26 7 respected peers and colleagues of the training recipients.
 26 8 The department shall use up to \$63,160 of the funds
 26 9 appropriated in this section for the contract. The department
 26 10 shall seek assistance from the national conference of state
 26 11 legislatures and private foundations in implementing the
 26 12 provisions of this subsection.

Permits the DHS to spend up to \$63,160 to implement
 an educational system for DHS and judicial workers to
 provide statewide reasonable efforts to prevent or
 eliminate the need to place children outside the
 children's homes. Requires comprehensive training in
 areas with high rates of out-of-home placements.

26 13 11. The department shall incorporate family-centered
 26 14 approaches to serving families into the department's general
 26 15 child welfare training for all child welfare workers. The
 26 16 training shall include an introduction to family preservation
 26 17 and family-centered services and these services' usages as
 26 18 alternatives to out-of-home care. In addition, the department

Requires the DHS to incorporate family-centered
 approaches to serving families into the general child
 welfare training for all child welfare workers.
 Requires the DHS to develop specific training
 concerning family preservation and family-centered
 services for DHS and Judicial staff involved in

26 19 shall develop specific training concerning these services for
 26 20 those workers who are involved with referrals of children to
 26 21 foster care. The department shall work with the judicial
 26 22 department in order to make the training applicable and
 26 23 available to court officers involved with referrals of
 26 24 children to foster care. In developing the training, the
 26 25 department shall seek assistance from the child welfare league
 26 26 of America and the national association of family-based
 26 27 services and shall draw from successful initiatives used in
 26 28 other states. In implementing the provisions of this
 26 29 subsection, the department may use up to \$110,530 of the funds
 26 30 appropriated in this section.

referrals of children to foster care. Permits the DHS to spend up to \$110,530 to implement this subsection.

26 31 12. The department shall allocate up to \$1,050,000 of the
 26 32 funds appropriated in this section among the department's
 26 33 regions to be used for wrap-around services. The moneys shall
 26 34 be used by each region to reduce the number or length of group
 26 35 foster care placements ordered by that region. For the
 27 1 purposes of this subsection, wrap-around services means
 27 2 coordinated, highly individualized, and community-based
 27 3 services directed to the basic human needs of a child and
 27 4 child's family which are developed and approved by an
 27 5 interdisciplinary team and focused upon the strengths of the
 27 6 child and the child's family. The department may transfer
 27 7 funds allocated in this subsection in addition to other funds
 27 8 appropriated in this Act that are used to provide wrap-around
 27 9 services. The department may adopt emergency rules to
 27 10 implement the provisions of this subsection.

Requires the DHS to allocate up to \$1,050,000 to DHS regions to be used around the State for wrap-around services which reduce the number or length of group foster care placements ordered by that region. Defines wrap-around services.

27 11 13. Of the funds appropriated in this section, up to
 27 12 \$1,000,000 is allocated for continued foster care services to
 27 13 a child who is 18 years of age or older in accordance with the
 27 14 provisions of section 234.35, subsection 4, paragraph c, if
 27 15 enacted in House File 2480 by the Seventy-fourth General
 27 16 Assembly, 1992 Session. The department shall distribute the
 27 17 moneys allocated in this subsection to the departmental
 27 18 regions based on each region's proportion of the total number

Requires the DHS to allocate up to \$1,000,000 for continued foster care for persons who are age 18 years of age or older. Requires distribution of the funds based upon the number of people placed in foster care who lose eligibility.

NOTE: House File 2480 (Child Welfare Statutory Bill) was signed by the Governor.

PG LN	Senate File 2355	Explanation
27 19 27 20 27 21 27 22 27 23	<p>19 of children placed in foster care on March 31, 1992, who, during the fiscal year beginning July 1, 1992, would no longer be eligible for foster care due to age. The department may adopt emergency rules to implement the provisions of this subsection.</p>	
27 24 27 25 27 26 27 27 27 28 27 29 27 30 27 31 27 32 27 33 27 34 27 35 28 1 28 2 28 3 28 4 28 5 28 6 28 7 28 8 28 9 28 10 28 11 28 12 28 13 28 14 28 15 28 16 28 17 28 18 28 19	<p>14. The provisions of this section constitute a significant change in state policy involving child welfare. In order to determine whether the change in policy has the intended effect and to provide information for future decision making, adequate information is required. During the fiscal period of this appropriation, the department shall track those out-of-home Placements of children in which the state or a county is financially involved. The department, in coordination with the legislative fiscal bureau and the judicial department, shall develop a system for providing the tracking information. The tracking information shall be provided in a manner by which it can be determined whether the limitations on group foster care enacted by the Seventy-fourth General Assembly, 1992 Session, have resulted in increased use of out-of-home placements of children other than group foster care. The tracking information shall be submitted quarterly to the governor, the chairpersons and ranking members of the joint human services appropriations subcommittee, and the legislative fiscal bureau and shall include all of the following information for each departmental region:</p> <p>a. The number of placements of children within each of the following age ranges: 0 through 5; 6 through 10; 11 through 15; and 16 through 21.</p> <p>b. The number of children placed in each of the following: family foster care, residential foster care, state training school, Iowa juvenile home, psychiatric medical institutions for children (PMICs), residential substance abuse treatment programs, hospitals for acute psychiatric care, state mental health institutes, shelter care, juvenile detention, adult correctional facilities, state hospital-schools, intermediate care facilities for the mentally retarded (ICF/MR),</p>	<p>Requires the DHS to track the impact of a variety of policy changes affecting foster care. Specifies the contents of the reports.</p>

28 20 residential care facilities for the mentally retarded
28 21 (RCF/MR).

28 22 15. Notwithstanding section 232.142, subsection 3, the
28 23 financial aid paid by the state shall be limited to 0.5
28 24 percent of the total cost of the establishment, improvements,
28 25 operation, and maintenance of a county or multicounty juvenile
28 26 detention home.

CODE: Provides that the State shall only pay for 0.5% of the cost of operating juvenile detention facilities.

28 27 Sec. 13. FOSTER CARE SSI DETERMINATIONS. The amount of
28 28 the appropriation in this Act for foster care is based upon
28 29 expansion of the number of children in foster care who are
28 30 eligible for federal supplemental security income (SSI). The
28 31 department may use up to \$500,000 of that appropriation to
28 32 enter into a performance-based contract to secure SSI benefits
28 33 for children placed in foster care. In selecting a vendor,
28 34 the department shall give preference to a vendor who is
28 35 capable of beginning services on July 1, 1992. The contract
29 1 shall include provisions for training of department of human
29 2 services and juvenile court staff, completion of applications,
29 3 tracking of application results, and representation during the
29 4 appeals process whenever an appeal is necessary to secure SSI
29 5 benefits. Notwithstanding section 217.30 and section 232.2,
29 6 subsection 11, and any other provision of law to the contrary,
29 7 the custodian of a child in foster care may release medical,
29 8 mental health, substance abuse, or any other information
29 9 necessary only to determine the child's eligibility for SSI
29 10 benefits, and may sign releases for the information. In any
29 11 release of information made pursuant to this subsection,
29 12 confidentiality shall be maintained to the maximum extent
29 13 possible. The provisions of this section shall take effect
29 14 upon enactment.

Provides that the Foster Care appropriation is based on expansion of the number of children in foster care who are eligible for federal SSI. Permits the DHS to use \$500,000 of the Foster Care appropriation to enter into a performance-based contract to secure SSI benefits for children placed in foster care.

CODE: Permits release of information about children in foster care if necessary to determine the child's eligibility for SSI benefits. Requires confidentiality to be maintained to the maximum extent possible.

29 15 Sec. 14. HOME-BASED SERVICES. There is appropriated from
29 16 the general fund of the state to the department of human
29 17 services for the fiscal year beginning July 1, 1992, and
29 18 ending June 30, 1993, the following amount, or so much thereof

General Fund appropriation to the DHS for Home-Based Services.

DETAIL: This is an increase of \$3,591,162 compared

PG LN	Senate File 2355	Explanation
<p>29 19 as is necessary, to be used for the purpose designated: 29 20 For home-based services on the condition that family 29 21 planning services are funded, provided that if the department 29 22 changes any allocation to a program funded under this section, 29 23 the department shall promptly notify the legislative fiscal 29 24 bureau of the change: 29 25</p>	<p>\$ 22,530,000</p>	<p>to the estimated net FY 1992 appropriation. Reflects expansion of support services for former voluntary foster care clients who are expected to return home (\$3,027,717) and annualization of family preservation services, which are intensive services to families with a child who is at risk of imminent placement or who have had a child in placement less than 60 days (\$599,335).</p>
<p>29 26 1. Of the funds appropriated in this section, \$30,000 29 27 shall be used by the department to contract with universities 29 28 to provide ongoing research and evaluation assistance to 29 29 programs and initiatives of the department involving family- 29 30 centered services and foster care. The contracts shall make 29 31 maximum use of any matching resources available from the 29 32 universities with which the department contracts.</p>		<p>Requires the DHS to contract with universities for research and evaluation assistance for family-centered services and foster care.</p>
<p>29 33 2. a. Of the funds appropriated in this section, 29 34 \$5,565,972 shall be used for family preservation and 29 35 reunification services and training. A limited amount of the 30 1 funds may be used for emergency family assistance to provide 30 2 other resources required for a family participating in a 30 3 project to stay together or to be reunified. The payment 30 4 system for the project shall not be based upon units of time, 30 5 but may be based upon the cost to serve a family, including 30 6 adjustments according to the provider's performance and the 30 7 outcome of the services provided to each family. The 30 8 department shall use the statewide family preservation and 30 9 decategorization committee to assist in selecting additional 30 10 projects. In addition, a portion of the funds appropriated in 30 11 this section shall be used for the jurisdictions receiving 30 12 reasonable efforts training pursuant to the requirements 30 13 provided in the appropriation in this Act for foster care.</p>		<p>Requires the DHS to use \$5,565,972 of the Home-Based Services appropriation for family preservation and reunification services. Prohibits the payment system from being based on units of time and permits consideration of performance and the service outcome in determining the payment amount.</p>
<p>30 14 b. The department shall seek federal financial 30 15 participation for family preservation under Title IV-A of the 30 16 federal Social Security Act. The nonfederal share of the</p>		<p>Requires the DHS to seek federal funding for family preservation and reunification services.</p>

30 17 costs shall be paid from funds appropriated in this section.
 30 18 Any federal funds **received** pursuant to this paragraph are
 30 19 appropriated for the purposes for which the funds are
 30 20 appropriated in this section. The department may adopt
 30 21 emergency rules to implement the provisions of this paragraph.

30 22 3. Of the funds appropriated in this section, up to
 30 23 \$3,027,717 shall be used for family-centered services for
 30 24 families with children with mental retardation or other
 30 25 developmental disability who would otherwise be placed in
 30 26 group foster care or are currently placed in group foster
 30 27 care. The department may adopt emergency rules to implement
 30 28 the provisions of this subsection.

Requires use of up to \$3,027,717 for services designed to keep children with MR or DD in their homes, or designed to allow them to return to their homes if already placed in group foster care.

30 29 **Sec. 15. COMMUNITY-BASED PROGRAMS.** There is appropriated
 30 30 from the general fund of the state to the department of human
 30 31 services for the fiscal year beginning July 1, 1992, and
 30 32 ending June 30, 1993, the following amount, or so much thereof
 30 33 as is necessary, to be used for the purpose designated:

General Fund appropriation to the DHS for Community-Based Programs. Maintains current level of service.

30 34 For community-based programs, on the condition that family
 30 35 planning services are funded, including salaries, support,
 31 1 maintenance, miscellaneous purposes, and for not more than the
 31 2 following full-time equivalent position:

DETAIL: This is a decrease of \$2,202,294 and no change in FTE positions compared to the estimated net FY 1992 appropriation. Reflects transfer of State Cases to a different budget unit.

31 3 \$ 1,620,000
 31 4 FTEs 1.0

This is not a mandated program.

31 5 1. Of the funds appropriated in this section, \$438,713
 31 6 shall be used for adolescent pregnancy prevention grants. At
 31 7 least 75 percent of the funds shall be used for programs which
 31 8 incorporate family planning and pregnancy prevention services
 31 9 as the major component of the program. The department shall
 31 10 not expend more than 8 percent of the funds for administrative
 31 11 costs. A grant may be awarded to a public school corporation,
 31 12 a maternal and child health center, an adolescent services
 31 13 provider, a project involving the state juvenile institutions,
 31 14 or a nonprofit organization which is involved in adolescent
 31 15 issues. Grants shall be awarded for a one-year period and

Requires the DHS to use \$438,713 for Adolescent Pregnancy Prevention Grants, and requires that at least 75.0% of the amount be used for programs which incorporate family planning and pregnancy prevention services as the major component. Limits administrative expenses to 8.0% of the funds available. Specifies criteria to be used in awarding grants. Requires that the DHS give priority to programs which provide services to residents of the 2 State juvenile institutions and which utilize a variety of community resources.

PG LN	Senate File 2355	Explanation
31 16 31 17 31 18 31 19 31 20 31 21	shall be based on the demonstrated need for adolescent pregnancy prevention and adolescent parent services. Preference in awarding grants shall be given to each of the projects for children placed at a state juvenile institution and projects which utilize a variety of community resources and agencies.	
31 22 31 23 31 24 31 25 31 26 31 27 31 28 31 29	a. As used in this subsection, adolescent means a person who is less than 18 years of age or a person who is attending an accredited high school or pursuing a course of study which will lead to a high school diploma or its equivalent. The department shall establish guidelines which permit a grant recipient to continue providing services to a person who receives services under the grant as an adolescent and becomes 18 years of age or older.	
31 30	b. A grant shall only be awarded to a project which	
31 31	provides one or more of the following services:	
31 32 31 33 31 34	(1) Workshops and information programs for adolescents and parents of adolescents to improve communication between children and parents regarding human sexuality issues.	
31 35 32 1 32 2 32 3 32 4 32 5	(2) Development and distribution of informational material designed to discourage adolescent sexual activity, to provide information regarding acquired immune deficiency syndrome and sexually transmitted diseases, and to encourage male and female adolescents to assume responsibility for their sexual activity and parenting.	
32 6 32 7 32 8	(3) Early pregnancy detection, prenatal services including chlamydia testing, and counseling regarding decision-making options for pregnant adolescents.	
32 9 32 10	(4) Case management and child care services provided to male and female adolescent parents.	
32 11 32 12 32 13 32 14 32 15 32 16 32 17	c. Additional services may be offered by a grantee pursuant to a purchase of service contract with the department including child day care services; child development and parenting instruction; services to support high school completion, job training, and job placement; prevention of additional pregnancies during adolescence; and other personal services.	

32 18 2. Of the funds appropriated in this section, at least
 32 19 \$209,512 shall be used to provide grants administered in
 32 20 accordance with the provisions for adolescent pregnancy
 32 21 prevention grants, except for requirements to target certain
 32 22 specific geographic areas of the state. The grants shall be
 32 23 awarded to fund any of the following purposes:
 32 24 a. Programs targeted to children. A program shall include
 32 25 the following: components for parental involvement; parental
 32 26 education, including techniques for encouraging sexual
 32 27 abstinence; outreach services for recruiting parents and
 32 28 children into the program; and the provision of transportation
 32 29 to program staff and participants necessary for recruiting and
 32 30 encouraging program participation.
 32 31 b. Programs intended to prevent an additional pregnancy by
 32 32 a parent who is less than 19 years of age. Preference in
 32 33 grant awards shall be given to programs which provide
 32 34 financial incentives to clients for their program
 32 35 participation and success in avoiding an additional pregnancy.
 33 1 c. Providing additional pregnancy prevention grants.
 33 2 Preference in grant awards shall be given to programs which,
 33 3 in addition to other services, provide counseling to mixed
 33 4 gender groups of adolescents.
 33 5 d. Programs intended to educate adolescents concerning the
 33 6 risks associated with alcohol and other drug use during
 33 7 pregnancy, including health, financial, emotional, and other
 33 8 potential long-term effects for mother and child.

Requires the DHS to spend \$209,512 on grants for the following pregnancy prevention programs:

1. Programs targeted to children which include specified components such as encouraging sexual abstinence.
2. Programs targeted to preventing an additional pregnancy by a parent who is less than 19 years of age.
3. Programs which, in addition to other services, provide counseling to mixed gender groups of adolescents.
4. Programs which are intended to educate concerning the risks associated with alcohol and other drug use during pregnancy, including health, financial, emotional, and other potential long-term effects.

33 9 3. Of the funds appropriated in this section, \$532,789
 33 10 shall be used by the department for child abuse prevention
 33 11 grants.

Requires the DHS to use \$532,789 for child abuse prevention grants.

33 12 **Sec. 16. COURT-ORDERED SERVICES PROVIDED TO JUVENILES.**
 33 13 There is appropriated from the general fund of the state to
 33 14 the department of human services for the fiscal year beginning
 33 15 July 1, 1992, and ending June 30, 1993, the following amount,
 33 16 or so much thereof as is necessary, to be used for the purpose

General Fund appropriation to the DHS for the cost of Court-Ordered Services Provided to Juveniles.

DETAIL: This is an increase of \$390,313 compared to the estimated net FY 1992 appropriation.

PG LN	Senate File 2355	Explanation
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33 17 designated:
 33 18 Payment of the expenses of court-ordered services provided
 33 19 to juveniles which are a charge upon the state pursuant to
 33 20 section 232.141, subsection 4:
 33 21 \$ 3,990,000

Approximately \$800,000 was spent on paying FY 1991 claims in FY 1992. All payments will be current at the end of FY 1992, causing the judicial districts to have \$1,175,431 more to spend in FY 1993 than in FY 1992.

NOTE: This section is repealed in HF 2452, but the repeal was vetoed by the Governor.

33 22 1. Notwithstanding section 232.141 or any other provision
 33 23 of law, the funds appropriated in this section shall be
 33 24 allocated to the judicial districts as determined by the state
 33 25 court administrator. The state court administrator shall make
 33 26 the determination on the allocations on or before June 15,
 33 27 1992.

CODE: Requires that funds in this appropriation be allocated to the DHS districts according to a formula which will be developed. The allocations shall be determined no later than June 15, 1992.

33 28 2. Each judicial district shall continue the planning
 33 29 group for the court-ordered services for juveniles provided in
 33 30 that district which was established pursuant to 1991 Iowa
 33 31 Acts, chapter 267, section 119. A planning group shall
 33 32 continue to perform its duties as specified in that law.
 33 33 Reimbursement rates for providers of court-ordered evaluation
 33 34 and treatment services paid under section 232.141, subsection
 33 35 4, shall be negotiated with providers by each judicial
 34 1 district's planning group.
 34 2 Each district planning group shall submit an annual report
 34 3 in January 1993 to the state court administrator and the
 34 4 department of human services. The report shall cover the
 34 5 preceding fiscal year and shall include a preliminary report
 34 6 on the current fiscal year. The administrator and the
 34 7 department shall compile these reports and submit the reports
 34 8 to the chairpersons and ranking members of the joint human
 34 9 services appropriations subcommittee and the legislative
 34 10 fiscal bureau.

Requires each judicial district to establish a planning group for spending the funds in this appropriation; district administrators are responsible for appointing the groups, which shall include representatives of specified parties. Requires the planning groups to meet quarterly and to submit a report each January. The report is to be distributed to the chairpersons and ranking members of the Human Services Appropriations Subcommittee and the LFB.

34 11 3. The department of human services shall develop policies
 34 12 and procedures to ensure that the funds appropriated in this

Requires the DHS to develop policies to ensure that funds in this appropriation are spent only after all

34 13 section are spent only after all other reasonable actions have
 34 14 been taken to utilize other funding sources and community-
 34 15 based services. The policies and procedures shall be designed
 34 16 to achieve the following objectives relating to services
 34 17 provided under chapter 232:

34 18 a. Maximize the utilization of funds which may be
 34 19 available from the medical assistance program including usage
 34 20 of the early and periodic screening, diagnosis, and treatment
 34 21 (EPSDT) program.

34 22 b. Recover payments from any third-party insurance carrier
 34 23 which is liable for coverage of the services, including health
 34 24 insurance coverage.

34 25 c. Pursue development of agreements with regularly
 34 26 utilized out-of-state service providers which are intended to
 34 27 reduce per diem costs paid to those providers.

34 28 4. The department of human services, in consultation with
 34 29 the state court administrator and the judicial district
 34 30 planning groups, shall compile a monthly report describing
 34 31 spending in the districts for court-ordered services for
 34 32 juveniles, including the utilization of the medical assistance
 34 33 program. The reports shall be submitted on or before the
 34 34 twentieth day of each month to the chairpersons and ranking
 34 35 members of the joint human services appropriations
 35 1 subcommittee and the legislative fiscal bureau.

35 2 5. Notwithstanding chapter 232 or any other provision of
 35 3 law, a district or juvenile court in a department of human
 35 4 services district shall not order any service which is a
 35 5 charge upon the state pursuant to section 232.141 if there are
 35 6 insufficient court-ordered services funds available in the
 35 7 district allocation to pay for the service. The chief
 35 8 juvenile court officer shall work with the judicial district
 35 9 planning group to encourage use of the funds appropriated in
 35 10 this section such that there are sufficient funds to pay for.
 35 11 all court-related services during the entire year. The eight
 35 12 chief juvenile court officers shall attempt to anticipate

reasonable efforts have been made to utilize other
 funding sources and community-based services. The
 DHS is required to ensure that the Medical Assistance
 Program and third-party insurance resources are
 maximally utilized.

Requires the DHS to compile a monthly report
 describing spending in the districts for
 court-ordered services for juveniles.

CODE: Prohibits a court from ordering any service
 which is a charge upon the State if there are
 insufficient funds to pay for the service. Requires
 chief juvenile court officers to work with the
 planning groups so that the allocation is sufficient
 for the entire year.

PG LN	Senate File 2355	Explanation
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35 13 potential surpluses and shortfalls in the allocations and
 35 14 shall cooperatively request the state court administrator to
 35 15 transfer funds between the districts' allocations as prudent.

35 16 6. Notwithstanding any provision of law to the contrary, a
 35 17 district or juvenile court shall not order a county to pay for
 35 18 any service provided to a juvenile pursuant to an order
 35 19 entered under chapter 232 which is a charge upon the state
 35 20 under section 232.141, subsection 4.

CODE: Prohibits a court from ordering a county to pay for any service which is a charge upon the State.

35 21 7. Of the funds appropriated in this section, up to
 35 22 \$200,000 may be used by the judicial department for
 35 23 administration of the requirements under this section and for
 35 24 travel associated with court-ordered placements which are a
 35 25 charge upon the state pursuant to section 232.141, subsection
 35 26 4.

Permits the use of up to \$200,000 by the Judicial Department for administration and travel associated with court-ordered placements.

35 27 Sec. 17. CHILD PROTECTIVE SYSTEM IMPROVEMENTS. There is
 35 28 appropriated from the general fund of the state to the
 35 29 department of human services for the fiscal year beginning
 35 30 July 1, 1992, and ending June 30, 1993, the following amount,
 35 31 or so much thereof as is necessary, to be used for the purpose
 35 32 designated:

General Fund appropriation to the DHS for improvements in the Child Protection system. Maintains current level of service.

35 33 For improvements in the state system for child protection:
 35 34 \$ 543,251

35 35 The funding appropriated in this section shall be used as
 36 1 determined by the department for any of the following
 36 2 purposes:
 36 3 1. For general administration of the department to improve
 36 4 staff training efforts.
 36 5 2. For oversight of termination of parental rights and
 36 6 permanency planning efforts on a statewide basis on the
 36 7 condition that regular reports regarding the statewide program
 36 8 efforts shall be provided to the legislative fiscal bureau.
 36 9 3. For use by the department in general administration to
 36 10 promote innovative treatment programs, write grants to obtain

Specifies the activities for which the funds are to be spent:

36 11 federal and private funding, and promote public and private
 36 12 efforts to treat and prevent child abuse.
 36 13 4. For personnel, assigned by the attorney general, to
 36 14 provide additional services relating to termination of
 36 15 parental rights and child in need of assistance cases.
 36 16 5. For funding of the state multidisciplinary team to
 36 17 assist with difficult cases within the child abuse and foster
 36 18 care system and with respect to child protective investigation
 36 19 and initial case planning and to develop and coordinate local
 36 20 multidisciplinary teams.
 36 21 6. For use by the department in conducting outcome-
 36 22 oriented evaluations of child protection, prevention, and
 36 23 treatment programs.
 36 24 7. For specialized foster care permanency planning field
 36 25 operations staff.

36 26 Sec. 18. IOWA VETERANS HOME. There is appropriated from
 36 27 the general fund of the state to the department of human
 36 28 services for the fiscal year beginning July 1, 1992, and
 36 29 ending June 30, 1993, the following amount, or so much thereof
 36 30 as is necessary, to be used for the purposes designated:
 36 31 For operation of the Iowa veterans home, including
 36 32 salaries, support, maintenance, miscellaneous purposes, and
 36 33 for not more than the following full-time equivalent
 36 34 positions:
 36 35 \$ 26,510,000
 37 1 FTEs 700.61

37 2 1. The department may use the gifts accepted by the
 37 3 director of human services pursuant to section 218.96 and
 37 4 other resources available to the department for use at the
 37 5 Iowa veterans home for purposes identified by the department.
 37 6 2. The department shall consider implementing a policy
 37 7 limiting the amount of subsidy to a patient to the subsidy
 37 8 that would be provided to that patient in a comparable

General Fund appropriation to the DHS for the Iowa Veterans' Home (IVH) at Marshalltown.

DETAIL: This is a decrease of \$665,244 and 14.73 FTE positions compared to the estimated net FY 1992 appropriation. Assumes an operating capacity of 594 beds.

NOTE: There is also a General Fund appropriation of \$10,000 for the IVH in HF 2486. This is a net decrease of \$655,244 compared to the estimated net FY 1992 appropriation.

Directs the DHS to use gifts accepted by the Director of the DHS pursuant to Section 218.96, Code of Iowa, and other resources at the IVH for purposes identified by the DHS.

Requires the DHS to consider implementing a policy that would limit the amount of subsidy a patient could obtain to that provided in a comparable

PG LN	Senate File 2355	Explanation
37 9	facility receiving medical assistance reimbursement.	facility receiving Medical Assistance reimbursement.
37 10 37 11 37 12 37 13 37 14 37 15 37 16 37 17 37 18 37 19 37 20	3. a. The department may adopt emergency rules to provide for medical assistance reimbursement for the care and treatment of medical assistance-eligible individuals admitted to the Iowa veterans home. If the rules result in medical assistance reimbursement to the Iowa veterans home which exceeds the amount budgeted for that purpose in the fiscal year beginning July 1, 1992, and ending June 30, 1993, the department may expend the excess amounts to exceed the number of full-time equivalent positions authorized in this section for the purpose of meeting related certification requirements or to provide additional beds.	Permits the DHS to adopt emergency rules to provide for Medical Assistance reimbursement for Medical Assistance eligible individuals in the IVH. If the rules result in higher than budgeted Medical Assistance reimbursement for the IVH, permits the DHS to exceed its authorized FTE positions to meet certification requirements or to provide additional beds.
37 21 37 22 37 23 37 24 37 25 37 26 37 27 37 28 37 29 37 30	b. An amount equal to the nonfederal share of the cost to determine the medical assistance eligibility for individuals pursuant to this subsection shall be transferred from moneys reimbursed to the Iowa veterans home pursuant to paragraph a and used in addition to moneys appropriated in this Act for field operations. The department may exceed the number of full-time equivalent positions authorized in the field operations appropriation for the purpose of providing medical assistance eligibility determinations pursuant to this subsection.	Requires an amount equal to the non-federal share of the cost to determine Medical Assistance eligibles in this subsection be transferred from the IVH appropriation to the Field Operations appropriation. Permits the DHS to exceed its authorized FTE positions in Field Operations to provide Medical Assistance eligibility determinations pursuant to this subsection.
37 31 37 32 37 33 37 34 37 35 38 1 38 2 38 3 38 4	c. The first \$2,372,481 of reimbursements received from a source other than the state, as a result of the Iowa veterans home reclassifying 147 beds under the medical assistance program and opening previously closed beds, shall be retained by the home and used for costs associated with the reclassification and reopening of the beds. The moneys retained by the home pursuant to this paragraph are in addition to state funds appropriated to the home in this section.	Requires the first \$2,372,481 of reimbursements received from a source other than the State as a result of the IVH reclassifying beds under the Medical Assistance Program and opening previously closed beds to be retained by the IVH and used for costs associated with the reclassification and reopening of the beds.
38 5 38 6	Sec. 19. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human	General Fund appropriation to the DHS for the State Mental Health Institutes (MHIs).

38 7 services for the fiscal year beginning July 1, 1992, and
 38 8 ending June 30, 1993, the following amounts, or *so* much
 38 9 thereof as is necessary, to be used for the purposes
 38 10 designated:
 38 11 For the state mental health institutes for salaries,
 38 12 support, maintenance, miscellaneous purposes, and for not more
 38 13 than the following full-time equivalent positions:
 38 14 \$ 41,860,000
 38 15 FTEs 1,058.13

DETAIL: This is a decrease of \$1,768,666 and 33.48 FTE positions compared to the estimated net FY 1992 appropriation. Reflects the restructuring, including the specialization of services, of the MHIs.

38 16 1. The funds appropriated and full-time equivalent
 38 17 positions authorized in this section are allocated as follows:

38 18 a. State mental health institute at Cherokee:
 38 19 \$ 14,690,000
 38 20 FTEs 381.41

Allocates \$14,690,000 and 381.41 FTE positions to the MHI at Cherokee.

DETAIL: This is an increase of \$181,692 and 6.41 FTE positions compared to the estimated net FY 1992 appropriation. Assumes an operating capacity of 208 beds.

The MHI at Cherokee provides psychiatric treatment for mentally ill adults, adolescents, and children.

38 21 b. State mental health institute at Clarinda:
 38 22 \$ 5,660,000
 38 23 FTEs 138.1

Allocates \$5,660,000 and 138.11 FTE positions to the MHI at Clarinda.

DETAIL: This is a decrease of \$705,015 and 15.89 FTE positions compared to the estimated net FY 1992 appropriation. Assumes an operating capacity of 95 beds.

The MHI at Clarinda provides inpatient geriatric/medical services for mentally ill persons and short-term inpatient psychiatric treatment for mentally ill adults.

PG LN	Senate File 2355	Explanation
<p>38 24 c. State mental health institute at Independence: 38 25 \$ 16,500,000 38 26 FTEs 435.61</p>		<p>Allocates \$16,500,000 and 435.61 FTE positions to the MHI at Independence.</p>
		<p>DETAIL: This is an increase of \$360,105 and 7.00 FTE positions compared to the estimated net FY 1992 appropriation. Assumes an operating capacity of 236 beds.</p> <p>The MHI at Independence provides inpatient psychiatric treatment for mentally ill adults, adolescents, and children.</p>
<p>38 27 d. State mental health institute at Mount Pleasant: 38 28 \$ 5,010,000 38 29 FTEs 103.00</p>		<p>Allocates \$5,010,000 and 103.00 FTE positions to the MHI at Mount Pleasant.</p>
		<p>DETAIL: This is a decrease of \$1,605,448 and 31.00 FTE positions compared to the estimated net FY 1992 appropriation.</p>
<p>38 30 2. Within the funds appropriated in this section, the 38 31 department may reallocate funds as necessary to best fulfill 38 32 the needs of the institutions provided for in this 38 33 appropriation.</p>		<p>Permits the DHS to reallocate funds between the 4 MHIs to best fulfill the needs of the institutions. Requires the DHS to report monthly to the LFB on institutional expenditures.</p>
<p>38 34 3. The department shall report to the legislative fiscal 38 35 bureau, on or before the twentieth day of each month, the 39 1 department's current expenditures for the institutions 39 2 receiving allocations under this appropriation. The report 39 3 shall include a comparison of actual to budgeted expenditures 39 4 for each institution.</p>		
<p>39 5 4. As part of the discharge planning process at the state 39 6 mental health institutes, the department shall provide 39 7 assistance in obtaining eligibility for federal supplemental 39 8 security income (SSI) to those individuals whose care at a 39 9 state mental health institute is the financial responsibility 39 10 of the state.</p>		<p>Requires the DHS to provide assistance to persons being discharged from Mental Health Institutes to obtain federal SSI benefits.</p>

39 11 Sec. 20. HOSPITAL-SCHOOLS. There is appropriated from the
 39 12 general fund of the state to the department of human services
 39 13 for the fiscal year beginning July 1, 1992. and ending June
 39 14 30, 1993, the following amounts, or so much thereof as is
 39 15 necessary, to be used for the purposes designated:
 39 16 For the state hospital-schools, for salaries, support,
 39 17 maintenance, miscellaneous purposes, and for not more than the
 39 18 following full-time equivalent positions:

39 19 \$ 64,260,000
 39 20 FTEs 1,831.25

39 21 1. The funds appropriated and full-time equivalent
 39 22 positions authorized in this section are allocated as follows:

39 23 a. State hospital-school at Glenwood:
 39 24 \$ 34,680,000
 39 25 FTEs 995.00

39 26 b. State hospital-school at Woodward:
 39 27 \$ 29,580,000
 39 28 FTEs 836.25

General Fund appropriation to the DHS for the State Hospital Schools (SHSs).

DETAIL: This is a decrease of \$2,992,653 and 98.13 FTE positions compared to the estimated net FY 1992 appropriation. Reflects the closing of beds as clients move to community-based facilities.

Allocates \$34,680,000 and 995.00 FTE positions to the SHS at Glenwood.

DETAIL: This is a decrease of \$2,315,276 and 71.00 FTE positions compared to the estimated net FY 1992 appropriation. The decrease is due to the annualization of closing 3 living units in FY 1992, the anticipated closing of an additional unit in January 1993, and staff reductions in force. Assumes an operating capacity of 510 beds phased down to 495 beds during FY 1993.

Allocates \$29,580,000 and 836.25 FTE positions to the SHS at Woodward.

DETAIL: This is a decrease of \$677,377 and 27.13 FTE positions compared to the estimated net FY 1992 appropriation. The decrease is due to the annualization of closing 2 living units in FY 1992 and closing an additional unit in FY 1993. Assumes an operating capacity of 376 beds phased down to 360 beds in FY 1993.

39 29 2. Within the funds appropriated in this section, the
39 30 department may reallocate funds as necessary to best fulfill
39 31 the needs of the institutions provided for in this
39 32 appropriation.

Permits the DHS to reallocate funds between the 2
SHSs to best fulfill the needs of the institutions.
Requires the DHS to report monthly to the LFB on
institutional expenditures.

39 33 3. The department shall report to the legislative fiscal
39 34 bureau, on or before the twentieth day of each month, the
39 35 department's current expenditures for the institutions
40 1 receiving allocations under this appropriation. The report
40 2 shall include a comparison of actual to budgeted expenditures
40 3 for each institution.

40 4 Sec. 21. MENTAL HEALTH -- MENTAL RETARDATION --
40 5 DEVELOPMENTAL DISABILITIES SPECIAL SERVICES. There is
40 6 appropriated from the general fund of the state to the
40 7 department of human services for the fiscal year beginning
40 8 July 1, 1992, and ending June 30, 1993, the following amount,
40 9 or so much thereof as is necessary, to be used for the purpose
40 10 designated:
40 11 For mental health, mental retardation, and developmental
40 12 disabilities special services:
40 13 \$ 370,069

General Fund appropriation to the DHS for MH/MR/DD
Special Services. Maintains current level of
services.

DETAIL: The MH/MR/DD Special Services Fund was
established to address specialized residential **and**
other service needs of persons with mental illness
(MI), MR, or DD. Emphasis is placed on services
which need to be enhanced--services which have no
other funding source or other initiatives to expand
community-based services for this population.

40 14 1. The department and the Iowa finance authority shall
40 15 develop methods to implement the financing for existing
40 16 community-based facilities and to implement financing for
40 17 small community-based facilities, including those facilities
40 18 which may be developed under a federally approved home and
40 19 community-based waiver for services provided under the medical
40 20 assistance program. The department shall develop criteria for
40 21 these facilities which may include provisions to restrict
40 22 placements to current state hospital-school clients or to
40 23 avert the placement of persons in a state hospital-school.
40 24 The department shall assure that clients are referred to these
40 25 facilities upon their development.

Requires the DHS and Iowa Finance Authority (IFA) to
develop methods to finance community-based facilities
including those developed under a federally approved
home and community-based waiver. Requires the DHS to
develop criteria for these facilities.

40 26 2. Of the funds appropriated in this section, \$248,862 is

Allocates a specified amount for supplemental per



40 27 allocated to provide supplemental per diems to community-based
 40 28 residential care facilities and community living arrangements.
 40 29 The per diem is restricted to clients placed from the state
 40 30 hospital-schools and persons averted from placement in a state
 40 31 hospital-school who meet the appropriate level of functioning
 40 32 for this type of care.

diems to community-based RCFs and community living arrangements. Restricts the per diem to specified clients.

40 33 3. Of the funds appropriated in this section, \$121,207 is
 40 34 allocated to provide funds for construction and start-up costs
 40 35 to develop community living arrangements to provide for
 41 1 persons who are mentally ill and homeless. These funds may be
 41 2 used to match federal Stewart B. McKinney Homeless Assistance
 41 3 Act grant funds.

Allocates a specified amount for construction and start-up costs to develop community living arrangements for mentally ill and homeless persons.

41 4 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM. There is
 41 5 appropriated from the general fund of the state to the
 41 6 department of human services for the fiscal year beginning
 41 7 July 1, 1992, and ending June 30, 1993, the following amount,
 41 8 or so much thereof as is necessary, to be used for the purpose
 41 9 designated:

General Fund appropriation to the DHS for the Family Support Subsidy Program.

41 10 For the family support subsidy program:
 41 11 \$ 1,000,000

DETAIL: This is an increase of \$351,123 compared to the estimated net FY 1992 appropriation.

DETAIL: Assumes approximately 285 persons will be served in FY 1993.

The Family Support Subsidy Program is designed to assist families in staying together by defraying some of the costs of caring for a child with special needs living at home. The subsidies are provided to families in regular payments throughout the year.

41 12 Sec. 23. SPECIAL NEEDS GRANTS. There is appropriated from
 41 13 the general fund of the state to the department of human
 41 14 services for the fiscal year beginning July 1, 1992, and
 41 15 ending June 30, 1993, the following amount, or so much thereof
 41 16 as is necessary, to be used for the purpose designated:
 41 17 To provide special needs grants to families with a family
 41 18 member at home who has a developmental disability or to a
 41 19 person with a developmental disability:

General Fund appropriation to the DHS for DD Special Needs Grants. Maintains current level of service.

DETAIL: Assumes that 107 grants will be provided.

Developmental Disabilities Special Needs Grants are provided to families with a family member who has a developmental disability and are intended to be used

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41 20 \$ 53,212

for such durable goods as adaptive equipment, household accessibility modifications such as lifts and ramps, or for unique service needs such as respite care and transportation.

41 21 Grants must be used by a family to defray special costs of
 41 22 caring for the family member to prevent out-of-home placement
 41 23 of the family member or to provide for independent living
 41 24 costs. A grant may provide up to \$5,000 per person for costs
 41 25 associated with an assistive animal. The grants may be
 41 26 administered by a private nonprofit agency which serves people
 41 27 statewide provided that no administrative costs are received
 41 28 by the agency. Regular reports regarding the special needs
 41 29 grants with the family support subsidy program and an annual
 41 30 report concerning the characteristics of the grantees shall be
 41 31 provided to the legislative fiscal bureau.

Requires grants to be used to pay costs of caring for a person with a developmental disability to prevent out-of-home placement or to assist with independent living. Permits a maximum of \$5,000 per person to be used for the cost of an assistive animal. Requires the DHS to provide status reports to the LFB.

41 32 **Sec. 24. MH/MR/DD STATE CASES -- NON-MH/MR/DD LOCAL**
 41 33 **PURCHASES.** There is appropriated from the general fund of the
 41 34 state to the department of human services for the fiscal year
 41 35 beginning July 1, 1992, and ending June 30, 1993, the
 42 1 following amount, or so much thereof as is necessary, to be
 42 2 used for the purposes designated:
 42 3 For purchase of local mental health, mental retardation,
 42 4 and developmental disabilities services where the client has
 42 5 no established county of legal settlement and for allocation
 42 6 to the various counties for the purchase of local services not
 42 7 related to mental health, mental retardation, or developmental
 42 8 disabilities:
 42 9 \$ 4,980,000

General Fund appropriation to MH/MR/DD State Cases and non-MH/MR/DD Local Purchases. This is a new appropriation.

42 10 **Sec. 25. MENTAL HEALTH -- MENTAL RETARDATION -- DE-**
 42 11 **VELOPMENTAL DISABILITIES -- BRAIN INJURY--COMMUNITY SERVICES**
 42 12 There is appropriated from the general fund of the state to
 42 13 the department of human services for the fiscal year beginning
 42 14 July 1, 1992, and ending June 30, 1993, the following amount,
 42 15 or so much thereof as is necessary, to be used for the purpose

General Fund appropriation to MH/MR/DD/Brain Injury (BI) Community Services.

DETAIL: This is a new appropriation. It combines monies from the MH/MR Fund (\$3,096,000), the Special Mental Health Services Fund (\$4,677,862), the FY 1992

42 16 designated:
 42 17 For mental health, mental retardation, developmental
 42 18 disabilities, and brain injury community services in
 42 19 accordance with the provisions of this Act:
 42 20 \$ 27,280,000

Enhanced Services MH/MR/DD county Maintenance of Effort (MOE) (\$1,912,335), local purchased services (\$13,038,776), new funds (\$4,669,027), and the transfer of funds to General Administration for technical assistance and training to local communities and providers (-\$114,000).

42 21 1. Of the funds appropriated in this section, \$12,278,889
 42 22 shall be allocated to counties for funding of community-based
 42 23 mental health, mental retardation, developmental disabilities,
 42 24 and brain injury services. The moneys shall be allocated to a
 42 25 county as follows:
 42 26 a. Fifty percent based upon the county's proportion of the
 42 27 state's population of persons with an annual income which is
 42 28 equal to or less than the poverty guideline established by the
 42 29 federal office of management and budget.
 42 30 b. Fifty percent based upon the county's proportion of the
 42 31 state's general population.

Allocates \$12,278,889 to counties for funding of community-based MH/MR/DD/BI services. Specifies the formula for allocating the funds.

42 32 A county shall utilize the funding the county receives
 42 33 pursuant to this subsection for services provided to persons
 42 34 with mental illness, mental retardation, developmental
 42 35 disability, or brain injury. However, no more than 50 percent
 43 1 of the funding shall be used for services provided to any one
 43 2 of the service populations.

Requires the funds to be used for services to persons with MI/MR/DD/BI but also specifies that no more than 50.0% may be used for any of these populations individually.

43 3 For the fiscal year beginning July 1, 1992, a county shall
 43 4 use at least 50 percent of the funding the county receives
 43 5 under this subsection for the following contemporary services
 43 6 to persons with mental illness, mental retardation, a
 43 7 developmental disability, or brain injury:
 43 8 (1) Case management.
 43 9 (2) Supported employment.
 43 10 (3) Community-based housing, including but not limited to
 43 11 group homes with five beds or less which promote quality.
 43 12 support services, appropriate levels of independence, and
 43 13 community inclusion for residents. However, expenditures

Requires a county to 'use at least 50.0% of its allocation for the following services in FY 1993:

1. Case management.
2. Supported employment.
3. Community-based housing including specified group homes with 5 beds or less and specified intermediate care facilities.
4. Individual support services provided to specified residents. Outlines what support services include.

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43 14 relating to a group home with more than five beds or a group
 43 15 home which does not comply with the location requirements of
 43 16 section 358A.25, subsection 3, or section 414.22, subsection
 43 17 3, are not eligible for reimbursement. Expenditures for
 43 18 housing provided in intermediate care facilities for the
 43 19 mentally retarded with ten beds or less which received a
 43 20 certificate of need under chapter 135 on or before July 1,
 43 21 1991, are eligible for payment under this allocation until
 43 22 July 1, 1997.

43 23 (4) Individual support services provided to individuals
 43 24 living in community-based housing or an independent living
 43 25 arrangement or to individuals and individuals' families when
 43 26 an individual is living with the individual's family. The
 43 27 support services are any service deemed necessary by a county
 43 28 to support an individual in a community-based housing or other
 43.29 living arrangement described in this lettered paragraph, and
 43 30 include any employment, training, crisis intervention, or
 43 31 educational program. The support services may also include
 43 32 provision of or payment for the costs of food, medical
 43 33 services, clothing, and counseling.

43 34 (5) Day programming provided to individuals living in
 43 35 community-based housing, an independent living arrangement, or
 44 1 with the individual's family:
 44 2 The mental health, mental retardation, and developmental
 44 3 disabilities commission shall adopt rules pursuant to chapter
 44 4 17A describing the services listed in subparagraphs (1)
 44 5 through (5) of this subsection.

44 6 2. Of the funds appropriated in this section \$30,000 shall
 44 7 be used to support the Iowa compass program providing
 44 8 computerized information and referral services for lowans with
 44 9 disabilities and their families.

44 10 3. The department shall submit an annual report concerning
 44 11 each population served and each service funded in this section
 44 12 to the chairpersons and ranking members of the joint human
 44 13 services appropriation subcommittee and the legislative fiscal

5. Day programming provided to specified residents.

Allocates \$30,000 to be used to support the Iowa
 Compass Program which provides a computerized
 information and referral project for lowans with DD
 and their families.

Requires the DHS to submit an annual report to
 specified persons and agencies regarding each
 population served and each service funded in this
 section to specified persons.

44 14 bureau.

44 15 4. a. Provision of funding under subsection 1 is
 44 16 contingent upon counties establishing mental illness, mental
 44 17 retardation, developmental disabilities, and brain injury
 44 18 (MI/MR/DD/BI) planning councils. The counties shall meet in
 44 19 consultation with service providers, consumers, and advocates,
 44 20 the department, and other interested parties in establishing
 44 21 the planning councils. A planning council's planning area
 44 22 shall, to the extent possible, utilize the borders of the
 44 23 county clusters as established pursuant to section 217.42, if
 44 24 enacted in Senate File 2342, and shall include a population of
 44 25 at least 40,000 and include counties with a historical pattern
 44 26 of cooperation in providing MI/MR/DD/BI services. The
 44 27 councils shall be established on or before September 1, 1992.

Provides that specified funding is contingent upon counties establishing MI/MR/DD/BI planning councils by September 1, 1992. Requires a Council's planning area, to the extent possible, to use the borders of county clusters established pursuant to Section 217.42, Code of Iowa if enacted in SF 2342. Requires a Council's planning area to include a population of at least 40,000 and counties with a historical pattern of cooperation providing MI/MR/DD/BI services.

NOTE: Senate File 2342 has been signed by the Governor.

44 28 b. The membership of a planning council shall include a
 44 29 member of the county board of supervisors of each county
 44 30 comprising the planning council and a sufficient number of
 44 31 MI/MR/DD/BI service providers and service consumers or family
 44 32 members of service consumers to provide for adequate
 44 33 representation of the providers and consumers or family
 44 34 members. The board of supervisors of the counties comprising
 44 35 the planning council shall determine the size and membership
 45 1 of the planning council.

Specifies the membership of the planning councils and requires the DHS to assign a county a planning council if a county does not establish one by September 1, 1992.

45 2 c. If a county does not establish a planning council
 45 3 arrangement by September 1, 1992, in accordance with the
 45 4 criteria provided in paragraph b, the department shall
 45 5 assign that county to a planning council.

45 6 d. A planning council shall develop plans for the
 45 7 provision of services in the fiscal year beginning July 1,
 45 8 1993, to persons with MI/MR/DD/BI in the county or counties
 45 9 comprising the planning council. The plans shall be submitted
 45 10 to the department on or before December 1, 1992.

Requires planning councils to submit plans to the DHS by December 1, 1992 for services to be provided in FY 1994.

45 11 [5. Of the funds appropriated in this section, \$20,000, or **VETOED**

Requires a maximum of \$20,000 be transferred to the

45 12 *so* much thereof as is necessary, shall be transferred to the
 45 13 legislative service bureau and used to contract for the
 45 14 consultant and facilitator required for the task force
 45 15 established in section 26 of this Act.]

Legislative Service Bureau (LSB) to contract for a consultant and facilitator for the Task Force established in Section 26 of this Act.

VETOED: The Governor vetoed this subsection, stating that the LSB has a standing unlimited appropriation and funding for this purpose should come from that agency's budget.

45 16 6. Of the funds appropriated in this section. \$1,912,335.
 45 17 or *so* much thereof as is necessary, is allocated to reimburse
 45 18 eligible counties for their expenditures for services provided
 45 19 to persons with mental retardation, a developmental
 45 20 disability, or chronic mental illness during the fiscal year
 45 21 beginning July 1, 1991, and ending June 30, 1992, in
 45 22 accordance with the provisions of section 27, subsection 5 of
 45 23 this Act.

Allocates \$1,912,335 to reimburse eligible counties for specified expenditures in FY 1992 for persons with MR/DD, or chronic mental illness (CMI). Specifies how the amount of reimbursement is to be determined.

45 24 7. a. Of the funds appropriated in this section,
 45 25 \$13,038,776 is allocated for distribution to counties for
 45 26 local purchase of services for persons with mental illness or
 45 27 mental retardation or other developmental disability.

Allocates \$13,038,776 for distribution to counties for local purchase of services with MI/MR/DD.

45 28 b. The funds allocated in this subsection shall be
 45 29 expended by counties in accordance with eligibility guidelines
 45 30 established in the department's rules outlining general
 45 31 provisions for service administration. Services eligible for
 45 32 payment with funds allocated in this subsection are limited to
 45 33 any of the following which are provided in accordance with the
 45 34 department's administrative rules for the services: community
 45 35 supervised apartment living arrangements, residential services
 46 1 for adults, sheltered work, supported employment, supported
 46 2 work training, transportation, and work activity.

Requires the funds allocated in this subsection be expended by counties in accordance with eligibility guidelines established by the specified administrative rules. Outlines services eligible for payment with funds allocated in this subsection.

46 3 c. In purchasing services with funds allocated in this
 46 4 subsection, a county shall designate a person to provide for
 46 5 eligibility determination and development of a case plan for

Requires a county, in purchasing services with funds allocated in this subsection, to designate a person to provide for eligibility determination and

46 6 individuals for whom the services are purchased. The
 46 7 designated person shall be a medical assistance case manager
 46 8 serving the person's county of residence. If an individual
 46 9 does not have a case manager, the individual's eligibility
 46 10 shall be determined by a social services caseworker of the
 46 11 department serving the individual's county of residence. The
 46 12 case plan shall be developed in accordance with the
 46 13 department's rules outlining general provisions for service
 46 14 administration.

development of a case plan for persons for whom the
 services are purchased. Lists the designated person
 for specified circumstances.

46 15 d. Services purchased with funds allocated in this
 46 16 subsection must be the result of a referral by the person who
 46 17 identified the services in developing the individual's case
 46 18 plan.

Requires services purchased with funds allocated in
 this subsection to be the result of a referral by the
 person who developed the individual's case plan and
 under a purchase of service contract.

46 19 e. Services purchased with funds allocated in this
 46 20 subsection must be under a purchase of service contract
 46 21 established in accordance with the department's administrative
 46 22 rules for purchase of service.

46 23 f. The funds provided by this subsection shall be
 46 24 allocated to each county as follows:
 46 25 (1) Fifty percent based upon the county's proportion of
 46 26 the state's population of persons with an annual income which
 46 27 is equal to or less than the poverty guideline established by
 46 28 the federal office of management and budget.

Requires the funds provided in this subsection to be
 allocated to each county according to a specified
 formula.

46 29 (2) Fifty percent based upon the amount provided to the
 46 30 county for local purchase services under the federal social
 46 31 services block grant in the fiscal year beginning July 1,
 46 32 1991.

46 33 g. Each county shall submit to the department a plan for
 46 34 funding of the services eligible for payment under this
 46 35 subsection. The plan may provide for allocation of the funds
 47 1 for one or more of the eligible services. The plan shall
 47 2 identify the funding amount the county allocates for each
 47 3 service and the time period for which the funding will be
 47 4 available. Only those services which have funding allocated

Requires each county to submit a plan to the DHS for
 funding the services eligible for payment under this
 subsection and specifies the requirements of the
 plan.

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47 5 47 6	in the plan are eligible for payment with funds provided in this subsection.	
47 7 47 8 47 9 47 10 47 11	h. A county shall provide advance notice to the individual receiving services, the service provider, and the person responsible for developing the case plan of the date the county determines that funding will no longer be available for a service.	Requires a county to provide advance notice to specified persons if the county determines that funding is no longer available for a service.
47 12 47 13 47 14	i. Moneys allocated to a county pursuant to paragraph f shall be provided to the county as claims are submitted to the state.	Requires monies allocated according to the formula in this subsection to be provided to the county as claims are submitted to the State. No entitlement to the services funded under this subsection is established.
47 15 47 16 47 17	j. The moneys provided under this subsection do not establish an entitlement to the services funded under this subsection.	
47 18	Sec. 26. TASK FORCE ESTABLISHED.	
47 19 47 20 47 21 47 22 47 23 47 24	1. For the fiscal year beginning July 1, 1992, there is established a task force to develop a plan for restructuring the service delivery system for persons with mental illness, mental retardation and other developmental disabilities, and brain injury. The task force shall consist of individuals appointed by all of the following entities:	Establishes a Task Force in FY 1993 to develop a plan for restructuring the service delivery system for persons with MI/MR/DD/BI. Outlines the membership of the Task Force.
47 25	a. Iowa state association of counties.	
47 26 47 27	b. Iowa association of rehabilitation and residential facilities.	
47 28	c. Alliance for the mentally ill of Iowa.	
47 29	d. Association for retarded citizens of Iowa.	
47 30	e. Community mental health centers association of Iowa.	
47 31 47 32	f. Iowa governor's planning council for persons with developmental disabilities.	
47 33	g. Iowa farm bureau federation.	
47 34	h. Iowa federation of labor.	
47 35	i. Iowa association of business and industry.	
48 1	j. Iowa citizen action network.	
48 2	k. Iowa psychiatric society.	

48 3 l. Iowa hospital association.
 48 4 m. Department of human services.
 48 5 n. Iowa coalition.
 48 6 o. Iowa protection and advocacy service.
 48 7 p. Coalition for persons with disabilities.
 48 8 q. Prevention of disabilities policy council.
 48 9 r. Iowa head-injury association.
 48 10 s. Department of management.
 48 11 t. Governor.
 48 12 u. A member of the senate appointed by the legislative
 48 13 council.
 48 14 v. A member of the house of representatives appointed by
 48 15 the legislative council.

48 16 2. The task force shall present a plan to the legislative
 48 17 council, the department of human services, and the governor,
 48 18 by December 1, 1992, which will implement a restructuring of
 48 19 the mental health, mental retardation, and developmental
 48 20 disabilities service system to be **effective** July 1, 1993.
 48 21 However, the funding portion of the plan referred to in
 48 22 paragraph b of this subsection is to be effective July 1,
 48 23 1994. The plan shall address, but not be limited to, all of
 48 24 the following:
 48 25 a. Multi-county structures for planning.
 48 26 b. The funding responsibilities and the funding
 48 27 relationship ~~between~~ the state and counties, including but not
 48 28 limited to, the per diem reimbursement paid at the state
 48 29 mental health institutes.
 48 30 c. The structure for service delivery.
 48 31 d. Targeting services for state funding which are aimed at
 48 32 implementing the service quality standards in section 225C.28A
 48 33 and rights in section **225C.28B**.
 48 34 The task force shall be assisted by a consultant and
 48 35 facilitator in carrying out its responsibilities under this
 49 1 section.

Requires the Task Force to present a plan regarding implementation of the restructuring and funding to the Legislative Council, the Governor, **and** the DHS by December 1, 1992. Outlines what the plan shall address.

49 2 3. It is the intent of the general assembly that the plan

Provides it is the intent of the General Assembly

49 33 the mentally retarded, provided under the medical assistance
 49 34 program for persons with mental retardation, a developmental
 49 35 disability, or chronic mental illness. The state shall have
 50 1 responsibility for the remaining 50 percent of the nonfederal
 50 2 share of the cost of case management provided to adults, day
 50 3 treatment, and partial hospitalization ~~for~~ persons without a
 50 4 county of legal settlement, the state shall have
 50 5 responsibility for 100 percent of the nonfederal share of the
 50 6 cost of case management provided to adults, day treatment,
 50 7 partial hospitalization, and the home and community-based
 50 8 waiver services.

Enhanced Services and HCB services **for** persons without a county of legal settlement. Clarifies that the obligation does not include case management to children.

50 9 b. If the department has contracted , a county or a
 50 10 consortium of counties to be the provider of case management
 50 11 services, the department is responsible for any costs included
 50 12 within the unit rate for case management services which are
 50 13 disallowed **for** reimbursement pursuant to Title XIX of the
 50 14 federal Social Security Act by the federal health care
 50 15 financing administration. The department shall use funds
 50 16 appropriated under this section to credit a county for the
 50 17 county's share of any amounts overpaid due to the disallowed
 50 18 costs. If certain costs are disallowed due to requirements or
 50 19 preferences of a particular county in the provision of case
 50 20 management services the county shall **not** receive credit for
 50 21 the amount of the costs.

Requires the DHS to pay any case management costs which are not allowed by the federal Health Care Financing Administration (HCFA), if the DHS has contracted with a county to be the provider of case management services. Requires the DHS to credit a county for a county's share of any amounts overpaid due to disallowed costs.

50 22 c. The state shall pay the entire nonfederal share of the
 50 23 costs for case management services provided to persons 18
 50 24 years of age or younger who are served in a medical assistance
 50 25 home and community-based waiver program for persons with
 50 26 mental retardation.

Requires the State to pay the non-federal share of the costs of case management provided to persons 18 years old or younger who are served in a Medical Assistance HCB waiver program for persons with MR.

50 27 4. A county is **responsible** to continue to expend at least
 50 28 the agreed upon amount expended for services in the fiscal
 50 29 year which ended June 30, 1987, for the fiscal year beginning
 50 30 July 1, 1992, for services to persons with mental retardation,
 50 31 a developmental disability, or chronic mental illness.

Requires counties to spend at least as much in FY 1993 as in FY 1987 for the eligible populations.

CODE: Requires monies remaining in a county fund for services to the eligible populations to not revert to

PG LN	Senate File 2355	Explanation
<p>50 32 Notwithstanding section 8.33, if a county does not expend the 50 33 agreed upon amount in the fiscal year, the balance not 50 34 expended shall not revert to the general fund of the county, 50 35 but shall be carried over to the next fiscal year to be 51 1 expended for the provision of services to persons with mental 51 2 retardation, a developmental disability, or mental illness 51 3 including, but not limited to, the chronically mentally ill, 51 4 and shall be used as additional funds. The additional funds 51 5 shall be used, to the greatest extent possible, to meet unmet 51 6 needs of persons with mental retardation, a developmental 51 7 disability, or mental illness. This subsection does not 51 8 relieve the county from any other funding obligations required 51 9 by law, including but not limited to the obligations in 51 10 section 222.60.</p>	<p>the county's general fund on June 30, 1993, but be used for the designated purposes in the next fiscal year.</p>	
<p>51 11 5. The department, in conjunction with the oversight 51 12 committee, and with the agreement of each county, shall 51 13 establish the actual amount expended for each candidate 51 14 service for persons with mental retardation, a developmental 51 15 disability, or chronic mental illness in the fiscal year which 51 16 ended June 30, 1987, and this amount shall be deemed each 51 17 county's base year expenditure for the candidate service. A 51 18 disagreement between the department and a county as to the 51 19 actual amount expended shall be decided by the oversight 51 20 committee. 51 21 The department, in conjunction with the oversight 51 22 committee, and with the agreement of each county, shall 51 23 determine the expenditures in the fiscal year beginning July 51 24 1, 1991, by each county for the candidate services, including 51 25 the amount the county contributes under subsection 3. If the 51 26 expenditures in the fiscal year beginning July 1, 1991, exceed 51 27 the base year expenditures for candidate services, then the 51 28 county shall receive from the funds appropriated under this 51 29 section the least amount of the following: 51 30 a. The difference between the total expenditures for the 51 31 candidate services in the fiscal year beginning July 1, 1991, 51 32 and the base year expenditures.</p>	<p>Requires the DHS to determine the expenditures by county for candidate services and to maintain the current hold harmless provision for county expenditures.</p>	

51 33 b. The amount expended by the county under subsection 3
 51 34 for candidate services in the fiscal year beginning July 1,
 51 35 1991.

52 1 c. The amount by which total expenditures for persons with
 52 2 mental retardation, a developmental disability, or chronic
 52 3 mental illness for the fiscal year beginning July 1, 1991,
 52 4 less any carryover amount from the fiscal year which began
 52 5 July 1, 1990, exceed the maintenance of effort expenditures
 52 6 under subsection 4.

52 7 The department may utilize a debit-credit approach in order
 52 8 to implement the financial transactions with counties required
 52 9 by this subsection. It is the intent of the general assembly
 52 10 that reimbursement to counties in accordance with the
 52 11 provisions of this subsection shall be discontinued for
 52 12 succeeding fiscal years.

52 13 6. Notwithstanding section 225C.20, ~~case~~ management
 52 14 services shall be provided by the department except when a
 52 15 county or a consortium of counties contracts with the
 52 16 department to provide the services. A county or consortium of
 52 17 counties may contract to ~~be the~~ provider at any time and the
 52 18 department shall agree to the contract so long as the contract
 52 19 meets the standards for case management adopted by the
 52 20 department. The county or ~~consortium~~ of counties may
 52 21 subcontract for the provision of case management services if
 52 22 the subcontract meets the same standards. A mental health,
 52 23 mental retardation, and developmental disabilities
 52 24 coordinating board may change the provider of individual case
 52 25 management services at any time. If the current or proposed
 52 26 contract is with the department, the coordinating board shall
 52 27 provide written notification of a proposed change to the
 52 28 department on or before August 15 and written notification of
 52 29 an approved change on or before October 15 in the fiscal year
 52 30 which precedes the fiscal year in which the change will take
 52 31 effect.

Permits the DHS to use a debit-credit approach to implement the financial transactions with counties required by this subsection. Specifies it is the intent of the General Assembly that the county MOE for candidate services be discontinued after FY 1993.

CODE: Requires the DHS to provide case management, unless a county contracts to be the provider.

52 32 7. This section does not relieve the county from any other
 52 33 funding obligations required by law, including but not limited
 52 34 to the obligations in section 222.60.

52 35 8. Nothing in this Act is intended by the general assembly
 53 1 to be the provision of a fair and equitable funding formula
 53 2 specified in 1985 Iowa Acts, chapter 249, section 9. Nothing
 53 3 in this division shall be construed as, is intended as, or
 53 4 shall imply a claim of entitlement to any programs or services
 53 5 specified in section 225C.28.

53 6 9. For the purposes of this section only, persons with
 53 7 mental disorders resulting from Alzheimer's disease or
 53 8 substance abuse shall not be considered chronically mentally
 53 9 ill.

63 10 10. Where the department contracts with a county or
 53 11 consortium of counties to provide case management services,
 53 12 the state shall appear and defend the department's employees
 53 13 and agents acting in an official capacity on the department's
 53 14 behalf and the state shall indemnify the employees and agents
 53 15 for acts within the scope of their employment. The state's
 53 16 duties to defend and indemnify shall not apply if the conduct
 53 17 upon which any claim is based constitutes a willful and wanton
 53 18 act or omission or malfeasance in office.

53 19 11. Medical assistance funding for case management
 53 20 services for eligible persons 18 years of age and under shall
 53 21 also be provided to persons residing in counties with
 53 22 decategorization projects, provided these projects have
 53 23 included these persons in their service plan and the
 53 24 decategorization project county is willing to provide the
 53 25 nonfederal share of costs.

53 26 12. The department shall explore the feasibility of
 53 27 obtaining federal approval of additional medical assistance
 53 28 home and community-based waivers for services to persons with

Provides that this section does not relieve the counties from any current funding obligations.

Provides that this section is not a fair and equitable funding formula as defined in Chapter 249, Section 9, 1985 Iowa Acts.

Provides for the exclusion of persons with mental disorders resulting from Alzheimer's disease or substance abuse from eligible populations for the purposes of this section only.

Requires the DHS to appear and defend its employees and agents acting in an official capacity on the Department's behalf in cases where the county contracts with the State for provision of case management services.

Requires that Medical Assistance funding for case management services for eligible persons be provided to persons residing in counties with decategorization projects under specified conditions.

Requires the DHS to explore the possibility of obtaining additional HCB waivers and of implementing a rehabilitative services option for persons with CMI

53 29 a developmental disability. The department shall also explore
 53 30 the feasibility of implementing an option under the medical
 53 31 assistance program for rehabilitative services to persons with
 53 32 chronic mental illness. If either item is determined to be
 53 33 feasible, implementation of any new provision shall be
 53 34 deferred until fiscal year 1993-1994.

under the Medical Assistance Program. Requires, if either item is determined to be feasible, implementation be deferred until FY 1994.

53 35 Sec. 28 FIELD OPERATIONS. There is appropriated from the
 54 1 general fund of the state to the department of human services
 54 2 for the fiscal year beginning July 1, 1992, and ending June
 54 3 30, 1993, the following amount, or so much thereof as is
 54 4 necessary; to be used for the purpose designated:
 54 5 For field operations, including salaries, support,
 54 6 maintenance, miscellaneous purposes, and for not more than the
 54 7 following full-time equivalent positions:
 54 8 \$ 37,840,000
 54 9 FTEs 2,180.50

General Fund appropriation to the DHS for Field Operations field staff.

DETAIL: This is a decrease of \$166,872 and an increase of 107.90 FTE positions compared to the estimated net FY 1992 appropriation.

54 10 1. Staff who are designated as Title XIX case management
 54 11 staff are considered to be in addition to the limit for full-
 54 12 time equivalent positions and the funds appropriated for field
 54 13 operations. The department shall report quarterly to the
 54 14 chairpersons and ranking members of the legislative fiscal
 54 15 committee of the legislative council, the members of the joint
 54 16 human services appropriations subcommittee, and the
 54 17 legislative fiscal bureau regarding the total number of Title
 54 18 XIX case management staff positions filled, including the
 54 19 number of positions which were filled by persons who were
 54 20 already employed by the department in another capacity.

Permits the DHS to hire staff in addition to the FTE position cap for Medical Assistance case management. Requires the DHS to report quarterly concerning the total number of case management staff positions filled, including the number of positions which were filled by persons who were already employed by the DHS in another capacity.

54 21 2. Upon the request of a county, the department shall work
 54 22 with the county to develop a funding plan for persons with
 54 23 mental retardation, a developmental disability, or chronic
 54 24 mental illness who are not eligible to receive case management
 54 25 provided under the medical assistance program and are
 54 26 receiving service management. With an agreed upon funding
 54 27 plan, the department is authorized to combine state funds that

Requires the DHS to work with any county to develop a funding plan for persons with MR/DD/CMI who are not eligible to receive case management under Medical Assistance but are currently receiving service management services.

PG LN

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Explanation

54 28 would otherwise be expended on service management with county
 54 29 funds to upgrade **services** provided to the persons from service
 54 30 management to case management. Staff required to implement
 54 31 this subsection are not subject to the limitations on full-
 54 32 time equivalent positions and funds appropriated for field
 54 33 operations.

54 34 3. If the field operations staffing level meets the funded
 54 35 full-time equivalent position limit authorized in this section
 55 1 and a region identifies a critical position vacancy or a
 55 2 position with a caseweight factor greater than 120 percent of
 55 3 the budgeted caseweight factor for the position, the director
 55 4 of human services may exceed the full-time equivalent position
 55 5 limit imposed under this section in the amount necessary to
 55 6 **fill** the critical position vacancy or to reduce the caseweight
 55 7 factor to the budgeted level. For purposes of this
 55 8 subsection, critical position vacancy includes a clerical
 55 9 position in an office limited to a single clerical staff
 55 10 position. The maximum caseweight factor for the fiscal year
 55 11 beginning July 1, 1992, and ending June 30, 1993, is 213 for
 55 12 income maintenance workers and 208 for service workers. If
 55 13 the department is able to increase federal financial
 55 14 participation relating to field operations, the moneys shall
 55 15 be used to reduce the budgeted caseweight factor funded by the
 55 16 **appropriation** in this section for income maintenance and
 55 17 **service workers**. In addition, if the field operations
 55 18 staffing level meets the funded full-time equivalent position
 55 19 limit imposed in this section and there is a critical position
 55 20 vacancy in the state or the statewide average caseweight
 55 21 factor for a particular type of position exceeds 105 percent
 55 22 of the maximum caseweight factor for that type of position,
 55 23 the director of human services may exceed the full-time
 55 24 equivalent position limit imposed in this section in an amount
 55 25 necessary to fill the critical position vacancy or to reduce
 55 26 the caseweight factor to the maximum level. If expenditures
 55 27 remain within the amount appropriated in this section, the
 55 28 department may exceed the full-time equivalent position limit

Permits the **DHS** to exceed the limit on the number of FTE positions in **Field Operations** in a region in which the caseweight exceeds 120.0% of the budgeted caseweight, or in which a critical position vacancy exists. Permits the **DHS** to exceed this FTE limit if the statewide caseweight exceeds 105.0% of the budgeted caseweight. Requires the **DHS** to report monthly to specified persons and agencies regarding caseweight and critical vacancies, and any action taken to address these issues.

55 29 imposed in this section. The department shall report monthly
 55 30 to the chairpersons and ranking members of the joint human
 55 31 services appropriations subcommittee and to the legislative
 55 32 fiscal bureau regarding caseweight factor computations in each
 55 33 region, the statewide average caseweight factor, the existence
 55 34 of a critical position vacancy in any region, and action taken
 55 35 by the department to address any critical position vacancy
 56 1 problem or excess caseweight factor.

56 2 4. Notwithstanding the full-time equivalent position limit
 56 3 imposed in this section, a county implementing a
 56 4 decategorization project, consistent with the county's
 56 5 decategorization plan, may modify the staffing level in the
 56 6 county's human services office and the modification shall not
 56 7 affect other county or regional human services staffing levels
 56 8 and shall not be considered to be subject to the full-time
 56 9 equivalent position limit imposed in this section.

56 10 5. If the amount of the nonfederal portion of a field
 56 11 operations income maintenance worker's salary, benefits, and
 56 12 support costs are paid to the department by a hospital or
 56 13 health center, the costs associated with that worker and that
 56 14 worker shall be considered to be in addition to the amount
 56 15 appropriated and full-time equivalent positions authorized in
 56 16 this appropriation for field operations.

56 17 6. If a county supplements a full or partial full-time
 56 18 equivalent position, the supplemented position is considered
 56 19 to be in addition to the amount appropriated and full-time
 56 20 equivalent positions authorized in this appropriation for
 56 21 field operations.

56 22 Sec. 29. GENERAL ADMINISTRATION. There is appropriated
 56 23 from the general fund of the state to the department of human
 56 24 services for the fiscal year beginning July 1, 1992, and
 56 25 ending June 30, 1993, the following amount, or so much thereof
 56 26 as is necessary, to be used for the purpose designated:
 56 27 For general administration, including salaries, support,

Permits a county implementing a decategorization project to modify the staffing level in the county's human services office, without affecting other county or regional human services staffing. Requires the modification to be exempt from the FTE position limit.

Provides that if the non-federal portion of an income maintenance worker's salary is paid by a hospital or a health center, the costs of that employee shall be considered in addition to the amount appropriated and FTE limit. If a county supplements a position, the supplemented position is also considered to be in addition to the amount appropriated and the FTE limit.

General Fund appropriation to the DHS for General Administration.

DETAIL: This is an increase of \$138,761 and 5.83 FTE positions compared to the estimated net FY 1992 appropriation. Reflects the transfer of 1.00 FTE

Fiscal Information	Appropriations Summary	Administration	Agriculture and Natural Resources	Economic Development	Education	Health and Human Rights	Human Services	Justice	Regulation	Transportation and Safety
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PG LN	Senate File 2355	Explanation
<p>56 28 maintenance, miscellaneous purposes, and for not more than the 56 29 following full-time equivalent positions: 56 30 \$ 8,710,000 56 31 FTEs 359.01</p>	<p>position (\$58,871) from the Gambler's Assistance Program and the addition of 4.00 FTE positions (\$114,000) to provide technical assistance and training to local communities and providers for MH/MR/DD/BI services.</p>	
<p>56 32 1. Full-time equivalent positions which are funded 56 33 entirely with federal, public, or private grants are exempt 56 34 from the limits on the number of full-time equivalent 56 35 positions provided in this section, but are approved only for 57 1 the period of time for which the federal funds or grants are 57 2 available for the position.</p>	<p>Specifies that the FTE position limit in General Administration does not include positions which are funded entirely through federal, public, or private grants.</p>	
<p>57 3 2. The department shall continue its activities in 57 4 applying to the Robert Wood Johnson foundation for a grant to 57 5 investigate the feasibility of establishing a system with a 57 6 single state authority and regional subauthorities for the 57 7 planning, funding, and administration of services for persons 57 8 with mental illness. The application process shall be 57 9 coordinated with the requirements of the federal Mental Health 57 10 Planning Act, Pub. L. No. 99-660, and federal mental health 57 11 law amendments enacted in 1990. The department shall work 57 12 with legislators, advocacy groups, county representatives, and 57 13 service providers as necessary in developing the grant 57 14 application. The department shall report to the joint human 57 15 services appropriations subcommittee on or before January 11, 57 16 1993.</p>	<p>Requires the DHS to continue its activities in applying to the Robert Wood Johnson Foundation for a grant for persons with MI. Specifies with whom DHS shall work in developing the grant application. Requires the DHS to report by January 11, 1993 to the Human Services Appropriations Subcommittee.</p>	
<p>57 17 3. The department, in consultation with the child 57 18 development coordinating council and the family development 57 19 and self-sufficiency council, shall consider the feasibility 57 20 of developing a proposal for submission to the federal family 57 21 support administration for a state family resource and support 57 22 program grant under the federal Claude Pepper Young Americans 57 23 Act of 1990, Pub. L. No. 101-501 } 933, as codified in 42 57 24 U.S.C. } 12339. The department may also apply for a planning 57 25 grant under that Act. In making application for a grant, the</p>	<p>Requires the DHS to develop a proposal for federal funding of a State Family Resource and Support Program.</p>	

57 26 department shall build upon existing effective programs in
 57 27 Iowa provided through the child development coordinating
 57 28 council, the family development and self-sufficiency council,
 57 29 adolescent pregnancy prevention grants, and child abuse
 57 30 prevention grants.

57 31 Sec. 30. PREVENTION OF DISABILITIES POLICY COUNCIL. There
 57 32 is appropriated from the general fund of the state to the
 57 33 prevention of disabilities policy council established in
 57 34 section 2258.3 for the fiscal year beginning July 1, 1992, and
 57 35 ending June 30, 1993, the following amount, or so much thereof
 58 1 as is necessary, to be used for the purpose designated:
 58 2 For performance of the council's duties in accordance with
 58 3 chapter 2258:
 58 4 \$ 27,090

General Fund appropriation to the Prevention of Disabilities Policy Council. Maintains current level of service.

58 5 Sec. 31. VOLUNTEERS. There is appropriated from the
 58 6 general fund of the state to the department of human services
 58 7 for the fiscal year beginning July 1, 1992, and ending June
 58 8 30, 1993, the following amount, or so much thereof as is
 58 9 necessary, to be used for the purpose designated:
 58 10 For development and coordination of volunteer services:
 58 11 \$ 85,793

General Fund appropriation to the DHS for the development and coordination of volunteer services. Maintains current level of service.

58 12 Sec. 32. X-PERT PUBLIC ASSISTANCE BENEFIT ELIGIBILITY
 58 13 DETERMINATION SYSTEM. There is appropriated from the general
 58 14 fund of the state to the department of human services for the
 58 15 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 58 16 the following amount, or so much thereof as is necessary, to
 58 17 be used for the purpose designated:
 58 18 For the first year development costs of the X-PERT
 58 19 knowledge-based computer software package for public
 58 20 assistance benefit eligibility determination, including
 58 21 salaries, support, maintenance, miscellaneous purposes, and
 58 22 for not more than the following full-time equivalent
 58 23 positions:
 58 24 \$ 453,204

General Fund appropriation for the first year development costs of the X-PERT computerized eligibility determination system.

DETAIL: Implementation of this system will cost \$1,100,000 in FY 1994 and will require the addition of Central Processing Unit capacity in the Department of General Services (DGS) mainframe computer. This is a new appropriation.

PG LN	Senate File 2355	Explanation
58 25 FTEs 17.0	
58 26	The department shall complete all of the following requirements relating to implementation of the X-PERT system:	Requires the DHS to perform a variety of studies concerning the X-PERT system, including an assessment of various hardware platforms, development of a detailed work plan, and a methodology for measuring costs and savings.
58 28	1. Complete an assessment of the relative appropriateness and cost-effectiveness of the various options for developing the X-PERT system. The assessment shall include an evaluation of the relative merits of using various computer hardware platforms including, but not limited to, mainframe computers, distributed processing, and personal microcomputers. The department shall utilize experts and resources from the private sector and shall ensure that the assessment is independent of influence from potential system vendors. The department shall report to the chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau no later than October 1, 1992.	
59 6	2. Complete a detailed work plan for the development, testing, pilot implementation, and full implementation of the X-PERT system by August 1, 1994. The work plan shall contain an assessment of the fiscal and staff resources required to meet this time frame and the availability of these resources. The work plan shall be completed on or before September 1, 1992.	
59 13	3. Develop, in cooperation with the legislative fiscal bureau, a methodology for measuring costs and savings resulting from the development and implementation of the X-PERT system. The methodology shall provide for separate measurement of both actual reductions in expenditures and avoidance of increased expenditures. The department shall implement the methodology during the development of the system and shall report quarterly regarding implementation of the methodology to the chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau.	
59 24	Sec. 33. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY	

59 25 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
59 26 DEPARTMENT OF HUMAN SERVICES.

59 27 1. a. For the fiscal year beginning July 1, 1992, the
59 28 department of human services may allocate any increases for
59 29 durable medical products and supplies so that equipment and
59 30 supplies which have greater wholesale cost increases may be
59 31 reimbursed at a higher rate and those which have a lower or no
59 32 wholesale cost increase may be reimbursed at a lower rate or
59 33 have no increase.

Provides that the DHS may allocate any increases for durable medical products and supplies so that equipment and supplies which have greater wholesale cost increases may be reimbursed at a higher rate and those with lower or no wholesale cost increases may be reimbursed at a lower rate.

59 34 b. For the fiscal year beginning July 1, 1992, the
59 35 following shall have their medical assistance reimbursement
60 1 rates increased by 10 percent over the rates in effect on June
60 2 30, 1992: early and periodic screening, diagnosis, and
60 3 treatment program providers, providers of obstetric services
60 4 when provided by physicians or certified nurse-midwives, and
60 5 pediatric services.

Provides an increase of 10.0% over the rates in effect on June 30, 1992 for EPSDT providers, obstetric service providers, and pediatric service providers.

60 6 c. The department shall revise the reimbursement
60 7 methodology used for clinics, including family planning
60 8 clinics, from a rate paid per visit based upon cost to a fixed
60 9 fee schedule.

Requires the DHS to revise the reimbursement methodology used for clinics to a fixed fee schedule.

60 10 d. The dispensing fee for pharmacists shall remain at the
60 11 rate in effect on June 30, 1992. The reimbursement policy for
60 12 drug product costs shall be in accordance with federal
60 13 requirements. Total adjustments to reimbursements for
60 14 prescription drugs shall remain within funds appropriated.

Requires the dispensing fee for pharmacists remain at the rate in effect on June 30, 1992 and the reimbursement policy for pharmacies be in accordance with federal requirements. Requires reimbursements for prescription drugs remain within the funds appropriated.

60 15 e. Reimbursement rates for in-patient hospital services
60 16 shall be increased by 1 percent over the rates in effect on
60 17 June 30, 1992.

Requires reimbursement rates to hospitals increase 1.0% over the rates in effect on June 30, 1992.

60 18 f. Reimbursement rates for rural health clinics shall be
60 19 increased in accordance with increases under the federal

Requires rural health clinics to be reimbursed at the rate established under the federal Medicare Program.

PG LN	Senate File 2355	Explanation
60 20	medicare program.	
60 21 g. Home health agencies certified for the federal medicare 60 22 program, hospice services, and acute care mental hospitals 60 23 shall be reimbursed for their current federal medicare audited 60 24 costs.	Requires home health agencies, hospice services, and acute care mental hospitals be reimbursed for their current Medicare audited costs.	
60 25 h. The basis for establishing the maximum medical 60 26 assistance reimbursement rate for nursing facilities shall be 60 27 the 70th percentile of facility costs as calculated from the 60 28 June 30, 1992, unaudited compilation of cost and statistical 60 29 data.	Requires nursing facilities to be reimbursed at the 70th percentile as calculated from the June 1992 compilation.	
60 30 i. The department may revise the fee schedule used for 60 31 physician reimbursement.	Permits the DHS to revise the fee schedule used for physician reimbursement.	
60 32 j. Federally qualified health centers shall be reimbursed 60 33 at 100 percent of reasonable costs as determined by the 60 34 department in accordance with federal requirements.	Requires the DHS to reimburse federally qualified health centers at 100.0% of reasonable costs, in accordance with federal requirements.	
60 35 k. The department shall review and utilize small area 61 1 analysis to identify differences in utilization of physician 61 2 and hospital services. Within funds appropriated, the 61 3 department shall seek to revise reimbursement methodologies 61 4 for providers . . . shall seek to equalize reimbursement rates 61 5 between providers. In addition, the department shall identify 61 6 incentives to reward efficient, effective, and quality care.	.Requires the DHS to use small area analysis to identify differences in utilization of physician and hospital services and to seek to revise reimbursement methods to equalize rates among providers, within the available funds.	
61 7 2. For the fiscal year beginning July 1, 1992, the maximum 61 8 cost reimbursement rate for residential care facilities 61 9 reimbursed by the department shall be \$19.62 per day. The 61 10 flat reimbursement rate for facilities electing not to file 61 11 semiannual cost reports shall be \$14.03 per day. For the 61 12 fiscal year beginning July 1, 1992, the maximum reimbursement 61 13 rate for providers reimbursed under the in-home health-related 61 14 care program shall be \$390.15 per month.	Establishes the maximum cost reimbursement rate for RCFs at \$19.62 per day. Requires the rate for facilities not filing cost reports to be \$14.03 per day. Establishes the maximum reimbursement rate for in-home health-related care providers at \$390.15 per month. These rates maintain the rates in effect on June 30, 1992.	

61 15 3. If the department's reimbursement methodology for any
 61 16 provider reimbursed in accordance with this section includes
 61 17 an inflation factor, this factor shall not exceed the amount
 61 18 by which the consumer price index for all urban consumers
 61 19 increased during the calendar year ending December 31, 1991.

Establishes that any Increase provided under this section shall not cause the reimbursement rate to exceed the provider's actual and allowable costs plus the increase in the Consumer Price Index (CPI).

61 20 4. [a. The department of human services shall make
 61 21 reimbursement payments directly to foster parents for services
 61 22 provided to children pursuant to section 234.6, subsection 6,
 61 23 paragraph b, or section 234.35. For each of the following
 61 24 fiscal years, the reimbursement rate shall be based upon the
 61 25 indicated percentage of the current United States department
 61 26 of agriculture estimate of the cost to raise a child: 1992-
 61 27 1993, 65 percent; 1993-1994, 75 percent; and 1994-1995, 80
 61 28 percent. The department may pay an additional stipend for a
 61 29 child with special needs.]

VETOED

Requires the DHS to set reimbursement rates for family foster care at 65.0% of the United States Department of Agriculture estimate of the cost to raise a child. This percentage will change to 75.0% in FY 1994, and 80.0% in FY 1995. Permits payment of a special needs allowance.

VETOED: The Governor vetoed this language, stating an item in HF 2480 provides for an increase in reimbursement payments to foster parents; therefore, this language providing an increase in payments to foster parents is no longer needed.

61 30 b. In the 1992-1993 fiscal year, the basic maintenance
 61 31 rate for children ages 0 through 5 years shall be \$258, the
 61 32 rate for children ages 6 through 11 years shall be \$289, the
 61 33 rate for children ages 12 through 15 years shall be \$328, and
 61 34 the rate for children ages 16 and older shall be \$356. The
 61 35 department shall increase the monthly allowance for children
 62 1 in independent-living from \$300 to \$400. The department may
 62 2 adopt emergency rules to implement the provisions of this
 62 3 subsection.

Requires the DHS to set basic maintenance rates for children in foster care as specified. Requires the DHS to increase the monthly allowance for children in independent Living.

62 4 5. For the fiscal year beginning July 1, 1992, the maximum
 62 5 reimbursement rates for social service providers other than
 62 6 child day care providers shall be the same as the rates in
 62 7 effect on June 30, 1991, except under any of the following
 62 8 circumstances:

Limits the maximum reimbursement rates for social service providers for FY 1993 to the rates in effect on June 30, 1991. Maximum reimbursement rates paid to social service providers in FY 1992 are not revised by this provision.

62 9 a. If a new service was added after June 30, 1991, the
 62 10 initial reimbursement rate for the service shall be based upon
 62 11 actual and allowable costs.

62 12 b. If a social service provider loses a source of income
 62 13 used to determine the reimbursement rate for the provider, the
 62 14 provider's reimbursement rate may be adjusted to reflect the
 62 15 loss of income, provided that the lost income was used to
 62 16 support actual and allowable costs of a service purchased
 62 17 under a purchase of service contract.
 62 18 6. The department may adopt emergency rules to implement
 62 19 the provisions of this section.

62 20 Sec. 34. ASSISTANCE TO GAMBLERS. There is appropriated
 62 21 from the general fund of the state to the department of human
 62 22 services for the fiscal year beginning July 1, 1992, and
 62 23 ending June 30, 1993, the following amount, or so much thereof
 62 24 as is necessary, to be used for the purpose designated:
 62 25 For the gamblers assistance program:
 62 26 \$ 250,000

General Fund appropriation to the DHS for the Gamblers Assistance Program.

DETAIL: This is a decrease of \$133,582 and 3.00 FTE positions compared to the estimated net FY 1992 appropriation. The decrease is due to moving the staff who work on this Program to General Administration.

62 27 The Iowa lottery board and the state racing and gaming
 62 28 commission shall cooperate with the gamblers assistance
 62 29 program to incorporate information regarding the gamblers
 62 30 assistance program and its toll-free telephone number in
 62 31 printed materials distributed by the board and commission.
 62 32 The commission may require licensees to have the information
 62 33 available in a conspicuous place as a condition of licensure.

Requires the Iowa Lottery Board and the State Racing and Gaming Commission (RGC) to cooperate with the Gamblers Assistance Program in providing information about the Program, including its toll-free number.

62 34 Sec. 35. FULL-TIME EQUIVALENT LIMIT NOTIFICATION. The
 62 35 Iowa veterans home, the state mental health institutes, and
 63 1 the state hospital-schools may exceed the number of full-time
 63 2 equivalent positions authorized in this Act if the additional
 63 3 positions are specifically related to licensing,
 63 4 certification, or accreditation standards or citations. The
 63 5 department shall notify the co-chairpersons and ranking
 63 6 members of the joint human services appropriations
 63 7 subcommittee and the legislative fiscal bureau if the
 63 8 specified number is exceeded. The notification shall include
 63 9 an estimate of the number of full-time equivalent positions

Permits the IVH, the MHIs, and the SHSs to exceed the FTE position limit, if the additional positions are related to licensing, certification, accreditation standards, or citations. Requires the DHS to notify the Chairpersons and Ranking Members of the Human Services Appropriations Subcommittee, and the LFB if the limit is exceeded.

63 10 added and the fiscal effect of the additlon.

63 11 **Sec. 36. MEDICAL ASSISTANCE STUDY.** The department of
63 12 management shall utilize a task force to perform a study of
63 13 the medical assistance program. The study parameters shall
63 14 include but are not limited to reimbursement rates, accuracy
63 15 and improvement of fiscal projections, scope of covered
63 16 services, cost containment provisions, relative growth of the
63 17 program, and the relationship with other health coverages.
63 18 The task force membership shall include consumers, service
63 19 providers, affected governmental agencies, and four
63 20 legislators appointed by the majority and minority leader of
63 21 the senate and the speaker and minority leader of the house of
63 22 representatives. The study findings and recommendations shall
63 23 be submitted to the governor and the general assembly on or
63 24 before January 1, 1993.

Requires the DOM to use a task force to study the Medical Assistance Program. Outlines the parameters of the study and the task force membership. Requires the findings and recommendations be submitted to the Governor and the General Assembly by January 1, 1993.

63 25 **Sec. 37. HEALTH DATA COMMISSION STUDY.** The health data
63 26 commission shall study the feasibility of creating an
63 27 electronic network to transmit all claims payable to third-
63 28 party payors and the feasibility of using this data
63 29 transmission network to establish a statewide health data
63 30 repository. The commission shall submit a report of the
63 31 findings of the study to the general assembly by January 1,
63 32 1993.

Requires the Health Data Commission to study the feasibility of creating an electronic network to transmit all claims payable to third-party payors and of using this network to establish a statewide health data repository. Requires the findings be submitted to the General Assembly by January 1, 1993.

63 33 **Sec. 38. COMPUTERIZATION -- ASSESSMENT OF FINANCIAL**
63 34 **IMPACT.** In order to assess the financial impact of
63 35 computerizing functions within the department of human
64 1 services, the department of general services, information
64 2 services division, shall monitor the utilization of the
64 3 central processing unit resources maintained by the division,
64 4 and shall provide quarterly reports to the legislative fiscal
64 5 committee of the legislative council and the legislative
64 6 fiscal bureau. The quarterly reports shall contain an
64 7 analysis of the central processing unit resources utilized by
64 8 the department of human services by each computerized

Requires the Inform'ation Services Division of the DGS to monitor utilization of Central Processing Unit (CPU) resources within the DHS. Requires the Division to provide quarterly reports containing an analysis of the impact of each computerized application upon the need for additional computer hardware. The reports are to be distributed to the Legislative Fiscal Committee and the LFB.

64 9 application within the department. The reports shall also
 64 10 contain information on computerized applications which are
 64 11 under development, and shall project the central processing
 64 12 unit utilization which will occur in 6, 12, 18, and 24 months.
 64 13 The reports shall be designed to enable the legislative fiscal
 64 14 committee and the legislative fiscal bureau to assess the
 64 15 fiscal impact of various computerized applications, with
 64 16 emphasis upon the need for the division to purchase additional
 64 17 computer hardware.

64 18 Sec. 39. STATE INSTITUTIONS -- CLOSINGS AND REDUCTIONS.
 64 19 If a state institution administered by the department of human
 64 20 services is to be closed or reduced in size, prior to the
 64 21 closing or reduction the department shall initiate and
 64 22 coordinate efforts in cooperation with the Iowa department of
 64 23 economic development to develop new jobs in the area in which
 64 24 the state institution is located.

Requires the DHS to work with the Department of Economic Development to develop new jobs if an institution operated by the DHS is to be closed or reduced in size.

64 25 [Sec. 40. FAMILY PLANNING -- REPRODUCTIVE HEALTH SERVICES
 64 26 INTEGRATION WITH SUBSTANCE ABUSE PROGRAMS. There is
 64 27 appropriated from the general fund of the state to the
 64 28 department of human services for the fiscal year beginning
 64 29 July 1, 1992, and ending June 30, 1993, the following amount,
 64 30 or so much thereof as is necessary, to be used for the
 64 31 purposes designated:

VETOED

64 32 1. For the provision of family planning services to
 64 33 eligible women as specified in this subsection:
 64 34 \$ 350,000

General Fund appropriation to the DHS for family planning services to specified eligible women. This is a new appropriation.

VETOED: The Governor vetoed this appropriation, stating that given current financial constraints, funding for new programs cannot be approved.

64 35 To be eligible for family planning services under this
 65 1 subsection, the following criteria apply: the woman has an
 65 2 income which is equal to or less than 185 percent of the

Outlines the eligibility criteria for receiving funds for family planning services and prohibits services from being provided more than 12 months from the

65 3 federal poverty level as defined by the most recently
 65 4 published guidelines issued by the United States department of
 65 5 health and human services; the woman was receiving medical
 65 6 assistance at the time the child was born; the woman is no
 65 7 longer eligible for medical assistance; and the woman is not
 65 8 covered by health insurance for family planning services. The
 65 9 family planning services shall be provided for not more than
 65 10 12 months from the date of expiration of an eligible woman's
 65 11 postpartum medical assistance coverage. The department shall
 65 12 include information concerning the availability of the family
 65 13 planning services at the time the department notifies a
 65 14 recipient that her 60 days of postpartum medical assistance
 65 15 coverage will expire. The department may adopt emergency
 65 16 rules to implement the provisions of this subsection.

expiration date of a woman's postpartum Medical Assistance coverage. Requires the DHS to include information on family planning services to a recipient.

VETOED: The Governor vetoed language pertaining to family planning services for specified eligibles since the appropriation for the services was vetoed.

65 17 2. For the use of the Iowa department of public health,
 65 18 division of substance abuse and health promotion, for the
 65 19 integration of reproductive health services with substance
 65 20 abuse programs:
 65 21 \$ 100,000

General Fund appropriation to the DHS for use by the DPH, Division of Substance Abuse and Health Promotion, for the integration of reproductive health services with substance abuse programs. This is a new appropriation.

VETOED: The Governor vetoed this appropriation, stating that given current financial constraints, funding for new programs cannot be approved.

65 22 To be eligible for funding under this subsection, a program
 65 23 shall be a residential treatment provider which provides
 65 24 services to a large number of women of childbearing age.

Requires that only programs which are residential treatment providers offering services to a large number of women of childbearing age are eligible for funding.

VETOED: The Governor vetoed language pertaining to the integration of reproductive health services with substance abuse programs since the appropriation for the integration of these services vetoed.

65 25 3. Nothing in this section shall be construed or is
 65 26 intended as, or shall imply, a grant of entitlement for

Provides that nothing in this family planning section is intended as a grant or entitlement for services to

65 27 services to persons who are eligible for services in
65 28 accordance with the provisions of this section. Any state
65 29 obligation to provide services pursuant to this section is
65 30 limited to the extent of the funds appropriated in this
65 31 section. 1

eligible persons and any services provided are limited to the funds appropriated.

VETOED: The Governor vetoed language pertaining to family planning and integration of various services since the appropriations for these services were vetoed.

65 32 [Sec. 41. MEDICAL ASSISTANCE -- ENHANCED SERVICES FOR HIGH-
65 33 RISK PREGNANCIES. There is appropriated from the general fund VETOED
65 34 of the state to the department of human services for the
65 35 fiscal year beginning July 1, 1992, and ending June 30, 1993,
66 1 the following amount, or so much thereof as is necessary, to
66 2 be used for the purpose designated:

General Fund appropriation to the DHS for risk assessments for pregnant women eligible for Medical Assistance. This is a new appropriation.

DETAIL: This appropriation is estimated to serve approximately 12,000 women.

66 3 1. For provider costs to perform risk assessments for
66 4 pregnant women eligible for medical assistance:
66 5 \$ 71,000

VETOED: The Governor vetoed this appropriation, stating that given current financial constraints, funding for new programs cannot be approved.

66 6 2. For medical assistance costs to provide enhanced
66 7 services for high-risk pregnancies in accordance with this
66 8 section:
66 9 \$ 72,000

General Fund appropriation to the DHS for enhanced services for high-risk pregnancies. This is a new appropriation.

DETAIL: These funds are in addition to \$807,000 budgeted for enhanced services elsewhere in this Act, This combination of funds is estimated to serve 6,000 women.

VETOED: The Governor vetoed this appropriation, stating that given current financial constraints, funding for new programs cannot be approved.

66 10 The department of human services and the Iowa department of
66 11 public health shall jointly develop risk assessment criteria
66 12 which shall be applied to all pregnant women eligible for
66 13 medical assistance. If a pregnant woman is determined to have
66 14 a high-risk pregnancy by use of the risk assessment, enhanced

Requires the DHS and the DPH to develop risk assessment criteria to be applied to all pregnant women for Medical Assistance. Requires specified enhanced services to be provided to women determined to be high-risk.

66 15 services shall be made available to the woman. Enhanced
66 16 services shall include care coordination, health education,
66 17 social services, nutrition education, and a postpartum home
66 18 visit. The department of human services may adopt emergency
66 19 rules to implement the provisions of this section.7

VETOED: The Governor vetoed language pertaining to risk assessments for pregnant women eligible for Medical Assistance since the appropriation for this service was vetoed.

66 20 [Sec. 42. INFANT MORTALITY AND MORBIDITY PREVENTION PILOT
66 21 PROJECT. The Iowa department of public health shall award
66 22 grants to establish an infant mortality and morbidity
66 23 prevention pilot project beginning October 1, 1992, and ending
66 24 June 30, 1995, in the designated areas of Polk, Scott, and
66 25 Woodbury counties. The recipient of a grant shall establish a
66 26 resource mothers program or coordinate existing resource
66 27 mothers programs in the targeted areas and shall do all of the
66 28 following:

VETOED

Requires the DPH to award grants to establish an Infant Mortality and Morbidity Prevention Pilot Project from October 1, 1992 to June 30, 1995 in Polk, Scott, and Woodbury counties. Outlines the requirements of grant recipients.

- 66 29 1. Identify barriers to positive birth outcomes and
- 66 30 encourage cooperation in the targeted area to reduce infant
- 66 31 mortality and morbidity.
- 66 32 2. Develop an inventory of existing community resources,
- 66 33 including both public and private organizations, which are
- 66 34 designed to reduce infant mortality.
- 66 35 3. Collaborate with local chambers of commerce,
- 67 1 businesses, and civic organizations, including both public and
- 67 2 private organizations, to establish a coupon bonus program for
- 67 3 pregnant women residing in the targeted area to encourage the
- 67 4 pregnant women to seek prenatal care and to encourage mothers
- 67 5 of children through one year of age to utilize the early and
- 67 6 periodic screening, diagnosis, and treatment program. The
- 67 7 coupon bonus program shall provide for the validation of
- 67 8 coupons by health care providers, following the provision of
- 67 9 prenatal care or care provided to a child through one year of
- 67 10 age, which may be exchanged for the provision of goods or
- 67 11 services by sponsors within the community.]

VETOED: The Governor vetoed language pertaining to the Infant Mortality and Morbidity Prevention Pilot Project since the allocation for this Project was vetoed.

67 12 [Sec. 43. PRENATAL TO PRESCHOOL FAMILY AND CHILD PROTECTION
67 13 SERVICES PROGRAM.

VETOED

67 14 1. The Iowa department of public health shall develop a
 67 15 program for the awarding of a grant to a statewide child abuse
 67 16 prevention Organization for the development and implementation
 67 17 of the prenatal to preschool family and child protection
 67 18 services program to be implemented beginning October 1, 1992,
 67 19 and ending October 1, 1995, in at least three urban and three
 67 20 rural counties, three of which shall be coordinated with the
 67 21 existing infant mortality and morbidity programs in Polk,
 67 22 Scott, and Woodbury counties, and all of which shall be
 67 23 implemented through the use of existing nonprofit home health
 67 24 programs. The department shall make a request for proposals
 67 25 application available to any organization requesting an
 67 26 application by August 1, 1992, and shall require the completed
 67 27 application to be returned to the department by September 1,
 67 28 1992.

Requires the DPH to establish a Prenatal to Preschool Family and Child Protection Services Grant Program.

VETOED: The Governor vetoed language pertaining to the Prenatal to Preschool Family and Child Protection Services Grant Program since the allocation to the Program was vetoed.

67 29 2. The department shall adopt rules which establish the
 67 30 criteria for the awarding of a grant to an applicant. The
 67 31 criteria shall include but are not limited to the required
 67 32 match of one dollar provided by the organization for each two
 67 33 dollars provided by the state.

Requires the DPH to establish rules for awarding the grants and the matching of State funds by grant recipients (\$2.00/\$1.00).

VETOED: The Governor vetoed language pertaining to the Prenatal to Preschool Family and Child Protection Services Grant Program since the allocation to the Program was vetoed.

67 34 3. A grant recipient shall do all of the following:
 67 35 a. Implement the proposed program by October 1, 1992.
 68 1 b. Coordinate the program with the infant mortality and
 68 2 morbidity prevention programs in existence in Polk, Scott, and
 68 3 Woodbury counties.
 68 4 c. To the maximum extent possible, utilize existing
 68 5 programs and services necessary for implementation of the
 68 6 program.
 68 7 d. Utilize nonprofit home health programs in the
 68 8 development and implementation of the program.

Outlines the requirements of grant recipients.

VETOED: The Governor vetoed language pertaining to the Prenatal to Preschool Family and Child Protection Services Grant Program since the allocation to the Program was vetoed.

68 9 4. The Iowa department of public health shall submit an

Requires the DPH to evaluate the Program and report

68 10 evaluation of the program, by January 15, annually, to the
68 11 governor and the general assembly. 1

annually to the Governor and the General Assembly.

VETOED: The Governor vetoed language pertaining to the Prenatal to Preschool Family and Child Protection Services Grant Program since the allocation to the Program was vetoed.

68 12 [Sec. 44. APPROPRIATION -- INFANT MORTALITY AND MORBIDITY -
68 13 -HEALTHY FAMILY PROGRAM. There is appropriated from the VETOED
68 14 general fund of the state to the iowa department of public
68 15 health. for the fiscal year beginning July 1, 1992, and ending
68 16 June 30, 1993, the following amount, or so much thereof as is
68 17 necessary, for the purposes designated:
68 18 \$ 665,000

General Fund appropriation to the DPH for purposes related to infant mortality and morbidity prevention and the Healthy Family Program. This is a new appropriation.

VETOED: The Governor vetoed this appropriation, stating that given current financial constraints, funding for new programs cannot be approved.

68 19 1 Of the moneys appropriated in this section, not more
68 20 than \$165,000 shall be used to award grants to establish
68 21 infant mortality and morbidity prevention pilot projects in
68 22 Polk, Scott, and Woodbury counties in the areas designated by
68 23 the iowa department of public health as areas with the highest
68 24 infant mortality rates Of the amount appropriated, not more
68 25 than 15 percent shall be used for administrative expenses

Allocates a maximum of \$165,000 to award grants for infant mortality and morbidity prevention pilot projects in Polk, Scott, and Woodbury counties in designated areas. Prohibits more than 15.0% of the appropriation from being used for administrative expenses.

VETOED: The Governor vetoed this allocation, stating that given current financial constraints, funding for new programs cannot be approved.

68 26 2 Of the moneys appropriated in this section, not more
68 27 than \$135,000 shall be used to award a grant to a statewide
68 28 child abuse prevention organization for the development and
68 29 implementation of the prenatal to preschool family and child
68 30 protection services program to be implemented beginning
68 31 October 1, 1992.

Allocates a maximum of \$335,000 to award a grant for a Prenatal to Preschool Family and Child Protection Services Program beginning October 1, 1992.

VETOED: The Governor vetoed this allocation, stating that given current financial constraints, funding for new programs cannot be approved.

68 32 3. Of the moneys appropriated in this section, not more
68 33 than \$25,000 shall be used for departmental staff support of a

Allocates a maximum of \$25,000 to be used for staff support of a multidisciplinary team conducting

68 34 multidisciplinary team conducting research concerning the
68 35 causes of individual infant deaths in the state. Funding of
69 1 the multidisciplinary team concerning an individual case shall
69 2 be used solely for research purposes.

research regarding causes of infant deaths.

VETOED: The Governor vetoed this allocation, stating that given current financial constraints, funding for new programs cannot be approved.

69 3 4. Of the moneys appropriated under this section, not more
69 4 than \$140,000 shall be used to increase the use of mid-level
69 5 practitioners to improve access to prenatal health care. The
69 6 funds shall be used to issue three grants in equal amounts to
69 7 hospitals, public health programs, or maternal health clinics
69 8 to develop programs to provide services to pregnant women,
69 9 utilizing nurse midwives with hospital privileges and
69 10 physician support, in areas of the state with insufficient
69 11 availability of obstetrical services.]

Allocates a maximum of \$140,000 to be used to increase the use of mid-level practitioners to improve access to prenatal care. Specifies the funds shall be issued as 3 equal grants in areas of the State with insufficient obstetrical services.

VETOED: The Governor vetoed this allocation, stating that given current financial constraints, funding for new programs cannot be approved.

69 12 [Sec. 45. IOWA CENTER FOR HEALTH ISSUES -- ESTABLISHED.
69 13 There is appropriated from moneys collected by the division of
69 14 insurance pursuant to section 505.7, subsection 3, from the
69 15 amount collected in excess of \$310,815, to the division of
69 16 insurance for the fiscal year beginning July 1, 1992, and
69 17 ending June 30, 1993, the following amount, or so much thereof
69 18 as is necessary to be used for the purposes designated:
69 19 For the awarding of a grant, by the division, to a private
69 20 institution to establish a center for use as a forum for the
69 21 purposes of community discussion and consensus building,
69 22 public education, and research in the area of health care and
69 23 health-related issues, particularly in the area of ethical
69 24 decision making:
69 25 \$ 75,000

VETOED

General Fund appropriation to the Insurance Division of the Department of Commerce to establish an Iowa Center for Health Issues. This is a new appropriation.

DETAIL: The appropriation is from monies collected by the Division pursuant to Section 505.7(3), Code Supplement 1991, in excess of \$310,815. The monies in this section are to be used for a grant to a private institution to establish a Center for the purposes of community discussion and consensus building, public education, and health-related research.

VETOED: The Governor vetoed this appropriation, stating that given current financial constraints, funding for new programs cannot be approved.

69 26 Criteria for the awarding of a grant includes but is not
69 27 limited to:
69 28 1. That the recipient be a private institution which is

Specifies the criteria for awarding the grant.

VETOED: The Governor vetoed language pertaining to

69 29 centrally located in the state, which does not directly
69 30 provide medical or health services, and which has developed
69 31 credibility among the health care and business community.

69 32 2. That the institution is able to draw from a variety of
69 33 disciplines including but not limited to the health services,
69 34 law, sociology, insurance, economics, education, and public
69 35 administration in carrying out the purpose of the center.

70 1 3. That the institution provide physical space for the
70 2 holding of meetings, forums, and other activities of the
70 3 center, and that the institution be capable of holding
70 4 meetings, forums, and other activities throughout the state.

70 5 4. That the institution provide or develop independent
70 6 funding, in an amount which is one dollar for every state
70 7 dollar provided, from sources including but not limited to
70 8 private contributions or federal funding.

70 9 The grant recipient shall cooperate with the division in
70 10 establishing the center. The division shall perform ongoing
70 11 evaluation of the activities of the center and shall make
70 12 recommendations to the grant recipient regarding improved
70 13 effectiveness of the activities of the center.]

70 14 [Sec. 46. VERIFICATION OF SPENDING REDUCTIONS. The
70 15 department of human services, the Iowa department of public
70 16 health, and the commissioner of insurance, shall submit
70 17 reports to the governor and the general assembly by January
70 18 15, 1993, regarding the effectiveness or proposed
70 19 effectiveness of the initiatives established in sections 201
70 20 through 206 and 208 of this Act in reducing health care costs.]

VETOED

the Iowa Center for Health Issues since the appropriation for the Center was vetoed.

Requires the DHS, the DPH, and the Insurance Commissioner to submit reports to the General Assembly by January 15, 1993 regarding the success of specified initiatives in this Act in reducing health care costs.

VETOED: The Governor vetoed language pertaining to the specified initiatives since the appropriations for the initiative were vetoed.

70 21 [Sec. 47. NEW SECTION. 135.106 IOWA HEALTHY FAMILY
70 22 PROGRAM -- ESTABLISHED.]

VETOED

70 23 1. The Iowa department of public health shall establish an
70 24 Iowa healthy family program to provide services to families
70 25 and children during the prenatal through preschool years. The

CODE: Establishes the Healthy Family Program to provide services to families and children during the prenatal through the preschool years. Specifies the

PG LN	Senate File 2355	Explanation
<p>70 26 program shall be designed to promote optimal child 70 27 development, improve family coping skills and functioning, and 70 28 promote positive parenting skills and intrafamilial 70 29 interaction, with the goal of prevention of child abuse and 70 30 neglect.</p>	<p>goal of the Program is prevention of child abuse and neglect.</p>	
<p>70 31 2. The program shall include the following components 70 32 which shall be developed and implemented to provide for 70 33 coordination of services to the greatest extent possible: 70 34 a. An infant mortality and morbidity prevention program. 70 35 b. A prenatal to preschool family and child protection 71 1 services program.</p>	<p>VETOED: The Governor vetoed language pertaining to the Healthy Family Program since the allocations for the components of the Program were vetoed.</p> <p>CODE: Requires an Infant Mortality and Morbidity Prevention Program and a Prenatal to Preschool Family and Child Protection Services Program to be included in the Health Family Program.</p> <p>VETOED: The Governor vetoed language pertaining to the Healthy Family Program since the allocations for the components of the Program were vetoed.</p>	
<p>71 2 3. The infant mortality and morbidity prevention program 71 3 shall include, but is not limited to, the following 71 4 components: 71 5 a. The establishment of pilot projects, through the 71 6 awarding of grants, in three counties of the state which have 71 7 areas with the state's highest infant mortality rates, to 71 8 identify barriers to positive birth outcomes, to encourage 71 9 collaboration and cooperation among providers of health care, 71 10 social services, and other services to pregnant women and 71 11 infants, and to encourage pregnant women and women of 71 12 childbearing years to seek health care and other services 71 13 which result in positive birth outcomes. 71 14 b. The establishment of a resource mothers program to 71 15 provide pregnant and postpartum women with individual 71 16 guidance, information, and access to health care. As used in 71 17 this section, resource mothers program means a community 71 18 outreach program which provides for home visits by women who 71 19 have experience as mothers and who have knowledge of health 71 20 care services, social services, or related fields of services. 71 21 and who provide pregnant and postpartum women with information 71 22 and access to health care and other services necessary for</p>	<p>CODE: Requires specified components to be included in the Infant Mortality and Morbidity Prevention Program.</p> <p>VETOED: The Governor vetoed language pertaining to the Healthy Family Program since the allocations for the components of the Program were vetoed.</p>	

71 23 positive birth outcomes.

71 24 4. The prenatal to preschool family and child protection
 71 25 services program shall be developed and implemented by the
 71 26 recipient of a grant awarded by the department and shall
 71 27 include but is not limited to all of the following components:
 71 28 a. Systematic hospital-based screening for the highest
 71 29 percent of high-risk families of newborns in specific
 71 30 geographic areas. The systematic hospital-based screening
 71 31 component shall provide that a resource mother identifies
 71 32 hospital admissions data for childbirths to determine high-
 71 33 risk families, based upon risk indicators developed by rule of
 71 34 the department. The woman who is a member of a family which
 71 35 is identified to be at high-risk shall be interviewed by the
 72 1 resource mother to encourage the woman to accept services
 72 2 including but not limited to home visits, support services,
 72 3 and instruction in child care and development.
 72 4 b. Community-based home visiting family support services.
 72 5 Following identification of a family as high-risk and
 72 6 acceptance of a family of services under the program, the
 72 7 resource mother shall initiate home visits to assess the needs
 72 8 of the family and to refer the family to appropriate services.
 72 9 c. Individualization of the intensity of services based
 72 10 upon the family's need and level of risk. The resource mother
 72 11 shall assess the specific needs of the participating family to
 72 12 ensure appropriate access to services and necessary frequency
 72 13 of services.
 72 14 d. Linkage to a medical home. The resource mother shall
 72 15 assist participating families in the selection of a primary
 72 16 care provider in order to promote preventive health care and
 72 17 positive child development. The resource mother assigned to a
 72 18 family shall track the scheduling and completion of and the
 72 19 provision of transportation to health care visits. The
 72 20 resource mother shall also review the results of health care
 72 21 visits and coordinate future visits or referrals to necessary
 72 22 services.
 72 23 e. Coordination of a range of health and social services

CODE: Requires specified components to be included in the Prenatal to Preschool Family and Child Protection Services Program.

VETOED: The Governor vetoed language pertaining to the Healthy Family Program since the allocations for the components of the Program were vetoed.

72 24 for at-risk families, including the provision of the
72 25 appropriate levels or types of immunizations to children
72 26 participating in the program.

72 27 f. Continuous follow-up with the family until the
72 28 identified child reaches age three, except in the case of
72 29 high-risk families in which case the follow-up shall continue
72 30 to age four.

72 31 g. A structured training program in the dynamics of abuse
72 32 and neglect. The grant recipient shall provide a training
72 33 program to establish uniform standards for service delivery.

72 34 h. Provision of crisis child care through utilization of
72 35 existing child care services to participants in the program.

73 1 i. Evaluation of the program, including an evaluation of
73 2 the effects on the reduction in risk factors for the
73 3 participants, an evaluation of the services provided, and
73 4 recommendations for changes in or expansion of the program.

73 5 j. To the extent possible, private party, third party, and
73 6 medical assistance including the early and periodic screening,
73 7 diagnosis, and treatment (EPSDT) program, shall be utilized as
73 8 a reimbursement to defray the costs of services provided.

73 9 5. The department shall adopt rules to establish and
73 10 implement the healthy family program which address all of the
73 11 following:

73 12 a. The entering of an interagency agreement with the
73 13 department of human services by which the department may refer
73 14 a family at high-risk, based upon reports to the department of
73 15 human services, of the need for services.

73 16 b. The criteria for the awarding of a grant for the
73 17 development and implementation of the infant mortality and
73 18 morbidity prevention pilot program and for the development and
73 19 implementation of the prenatal to preschool family and child
73 20 protection services program.

73 21 c. The components required of a grant applicant for
73 22 inclusion in an infant mortality and morbidity prevention
73 23 pilot program proposal and in a prenatal to preschool family
73 24 and child protection services program proposal.

CODE: Requires the DPH to adopt administrative rules for the Healthy Family Program.

VETOED: The Governor vetoed language pertaining to the Healthy Family Program since the allocations for the components of the Program were vetoed.

73 25 d. Establishment of risk Indicators to be used in the
 73 26 systematic hospital-based screening component of the prenatal
 73 27 to preschool family and child protection services program.
 73 28 e. Designation of the areas of the counties selected for
 73 29 implementation of the infant mortality and morbidity
 73 30 prevention pilot program which have the highest infant
 73 31 mortality rate based on census tracts.
 73 32 f. Designation, in cooperation with the grant recipient,
 73 33 of the counties of the state for implementation of the
 73 34 prenatal ^g preschool family and child protection services
 73 35 program.]

74 1 Sec. 48. Section 135C.2, subsection 5, paragraph b, Code
 74 2 Supplement 1991, is amended to read as follows:
 74 3 b. A facility must be located in an area zoned for single
 74 4 or multiple-family housing or in an unincorporated area and
 74 5 must be constructed in compliance with applicable local
 74 6 ~~housing-codes requirements~~ and the rules adopted for the
 74 7 special classification by the state fire marshal in accordance
 74 8 with the concept of the least restrictive environment for the
 74 9 facility residents. The rules adopted by the state fire
 74 10 marshal for the special classification shall be no more
 74 11 restrictive than the rules adopted by the state fire marshal
 74 12 for demonstration ~~waiver~~ project facilities pursuant to 1986
 74 13 Iowa Acts, chapter 1246, section 206, subsection 2. Local
 74 14 ~~housing-codes requirements~~ shall not be more restrictive than
 74 15 the rules adopted for the special classification by the state
 74 16 fire marshal and the state building code requirements for
 74 17 single or multiple-family housing.

CODE: Provides that local requirements shall not be more restrictive than the rules adopted for the special classification (RCFs of a maximum of 5 beds serving persons with MR/CMI/DD) by the State Fire Marshal and the State Building Code requirements for single or multiple-family housing.

74 18 [Sec. 49. NEW SECTION. ~~148E.1~~ DEFINITIONS.
 74 19 As used in this chapter, unless the context otherwise
 74 20 requires:
 74 21 1. Acupuncture means promoting, maintaining, or
 74 22 restoring health based on traditional oriental medical
 74 23 concepts of treating specific areas of the human body, known
 74 24 as acupuncture points or meridians, by performing any of the

VETOED

CODE: Provides definitions relating to acupuncture.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

74 25 following practices:
 74 26 a. Inserting acupuncture needles.
 74 27 b. Moxibustion.
 74 28 c. Applying manual, conductive thermal, or electrical
 74 29 stimulation through use of acupuncture needles or any other
 74 30 secondary therapeutic technique except for use of other
 74 31 electromagnetic or ultrasound energy sources.
 74 32 2. Acupuncturist means a person who is engaged in the
 74 33 practice of acupuncture.
 74 34 3. Board means the board of medical examiners
 74 35 established in chapter 147.
 75 1 4. Department means the Iowa department of public
 75 2 health.]

75 3 [Sec. 50. NEW SECTION. 148E.2 REGISTRATION AND RENEWAL **VETOED**
 75 4 REQUIRED.
 75 5 A person shall not engage in the practice of acupuncture
 75 6 unless the person has registered with the board and received a
 75 7 certificate of registration pursuant to this chapter.
 75 8 Registration shall be renewed annually. The board shall
 75 9 charge a fee for renewal.]

CODE: Prohibits a person from engaging in the practice of acupuncture unless the person is registered and received a certificate. **Requires** registration to be renewed annually and the Board of Medical Examiners to charge a fee for renewal.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

75 10 [Sec. 51. NEW SECTION. 148E.3 REGISTRATION REQUIREMENTS **VETOED**
 75 11 AND RECIPROCAL AGREEMENTS.
 75 12 1. A person shall be registered as an acupuncturist and
 75 13 issued a certificate of registration by the board, if the
 75 14 person does all of the following:
 75 15 a. Submits a completed application form as provided by the
 75 16 board and the application fee as required by the board.
 75 17 b. Successfully completes and passes thg certification and
 75 18 examination process of the national commission for the
 75 19 certification of acupuncture.
 75 20 c. Successfully completes a training program which
 75 21 conforms to standards established by the national commission
 75 22 for the certification of acupuncture.

CODE: Outlines the registration requirements to become an acupuncturist.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

75 23 2. The board may register a person as an acupuncturist and
 75 24 issue a certificate of registration based upon a reciprocal
 75 25 agreement pursuant to chapter 147.]

75 26 [Sec. 52. NEW SECTION. 148E.4 DISPLAY OF CERTIFICATE AND
 75 27 DISCLOSURE OF INFORMATION TO PATIENTS.

VETOED

75 28 An acupuncturist shall display the certificate of
 75 29 registration issued pursuant to section 148E.3 in a
 75 30 conspicuous place in the acupuncturist's place of business.
 75 31 An acupuncturist shall provide to each patient upon initial
 75 32 contact with the patient the following information in written
 75 33 form:

CODE: Requires an acupuncturist to display the certificate of registration in a conspicuous place and to provide specified information to a patient upon initial contact.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

75 34 1. The name, business address, and business phone number
 75 35 of the acupuncturist.

76 1 2. A fee schedule.

76 2 3. A listing of the acupuncturist's education, experience,
 76 3 degrees, certificates, or credentials related to acupuncture
 76 4 awarded by professional acupuncture organizations, the length
 76 5 of time required to obtain the degrees or credentials, and
 76 6 experience.

76 7 4. A statement indicating any license, certificate, or
 76 8 registration in a health care occupation which was revoked by
 76 9 any local, state, or national health care agency.

76 10 5. A statement that the acupuncturist is complying with
 76 11 rules adopted by the department or the board, including a
 76 12 statement that only presterilized, disposable needles are used
 76 13 by the acupuncturist.

76 14 6. A statement indicating that the practice of acupuncture
 76 15 is regulated by the department.]

76 16 [Sec. 53. NEW SECTION. 148E.5 USE AND DISPOSAL OF
 76 17 NEEDLES.

VETOED

76 18 An acupuncturist shall use only presterilized, disposable
 76 19 needles, and shall provide for adequate disposal of used
 76 20 needles.]

CODE: Requires an acupuncturist to use only presterilized disposable needles and to provide adequate disposal of used needles.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

76 21 [Sec. 54. NEW SECTION. 148E.6 REVOCATION OR SUSPENSION OF
 76 22 CERTIFICATE AND REGISTRATION. VETOED

76 23 In addition to the grounds for revocation or suspension
 76 24 referred to in section 147.55, the registration and
 76 25 certificate of registration to practice acupuncture shall be
 76 26 revoked or suspended when the acupuncturist is guilty of any
 76 27 of the following acts or offenses:

- 76 28 1. Failure to provide information as required in section
- 76 29 148E.4 or provision of false information to patients.
- 76 30 2. Acceptance of remuneration for referral of a patient to
- 76 31 other health professionals.
- 76 32 3. Offering of or giving of remuneration for the referral
- 76 33 of patients, not including paid advertisements or marketing
- 76 34 services.

76 35 4. Failure to comply with this chapter, rules adopted
 77 1 pursuant to this chapter, or applicable provisions of chapter
 77 2 147.

77 3 5. Engaging in sexual activity or genital contact with a
 77 4 patient while acting or purporting to act within the scope of
 77 5 practice, whether or not the patient consented to the sexual
 77 6 activity or genital contact.

77 7 6. Disclosure of confidential information regarding the
 77 8 patient.]

77 9 [Sec. 55. NEW SECTION. 148E.7 ACCIDENT AND HEALTH VETOED
 77 10 INSURANCE COVERAGE.

77 11 This chapter shall not be construed to require accident and
 77 12 health insurance coverage for acupuncture services under an
 77 13 existing or future contract or policy for insurance issued or
 77 14 issued for delivery in this state, unless otherwise provided
 77 15 by the contract or policy.]

77 16 [Sec. 56. NEW SECTION. 148E.8 SCOPE OF CHAPTER. VETOED
 77 17 This chapter does not apply to a person who is licensed as
 77 18 a physician; as defined in section 135.1, or as a dentist.]

CODE: Requires an acupuncturist's registration and certificate of registration to be revoked or suspended if found guilty of specified acts or offenses.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

CODE: Provides that the chapter regulating acupuncturists shall not be construed to require accident and health insurance coverage for acupuncture services.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

CODE: Provides that the chapter regulating acupuncturists does not apply to a person who is licensed as a physician as defined in Section 135.1,

77 19 [Sec. 57. NEW SECTION. 148E.9 STANDARD OF CARE. **VETOED**
 77 20 A person registered under this chapter shall be held to the
 77 21 same standard of care as a person licensed to practice
 77 22 medicine and surgery, osteopathy, or osteopathic medicine and
 77 23 surgery.]

Code of Iowa, or as a dentist.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

CODE: Requires a person registered under the chapter regulating acupuncturists to be held to the same standard of care as a person licensed for specified fields.

77 24 [Sec. 58. NEW SECTION. 148E.10 EVALUATION OF CONDITION **VETOED**
 77 25 REQUIRED.
 77 26 A person registered under this chapter shall not engage in
 77 27 the performance of acupuncture upon another person until the
 77 28 person's condition has been **evaluated by a physician**, as
 77 29 defined in section 135.1, or **by a dentist**.]

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

CODE: Prohibits an acupuncturist from engaging in the performance of acupuncture until a client's condition has been evaluated by a person licensed as a physician as defined in Section 135.1, Code of Iowa, or as a dentist.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

77 30 [Sec. 59. Section 147.1, subsections 2 and 3, Code **VETOED**
 77 31 Supplement 1991, are amended to read as follows:
 77 32 2. Licensed or certified when applied to a physician
 77 33 and surgeon, podiatrist, osteopath, osteopathic physician and
 77 34 surgeon, physician assistant, psychologist or associate
 77 35 psychologist, chiropractor, nurse, dentist, dental hygienist,
 78 1 optometrist, speech pathologist; audiologist, pharmacist,
 78 2 physical therapist, occupational therapist, practitioner of
 78 3 cosmetology, practitioner of barbering, funeral director,
 78 4 dietitian, marital and family therapist, mental health
 78 5 counselor, or social worker, or acupuncurist means a person
 78 6 licensed or certified under this title.

CODE: Technical correction needed as a result of regulating acupuncturists.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

78 7 3. Profession means medicine and surgery, podiatry,
 78 8 osteopathy, osteopathic medicine and surgery, practice as a
 78 9 physician assistant, psychology, chiropractic, nursing,
 78 10 dentistry, dental hygiene, optometry, speech pathology,
 78 11 audiology, pharmacy, physical therapy, occupational therapy,
 78 12 cosmetology, barbering, mortuary science, marital and family
 78 13 therapy, mental health counseling, social work, ~~or~~ dietetics,
 78 14 or acupuncture.3

78 15 [Sec. 60. Section 147.13, subsection 1, Code Supplement **VETOED**
 78 16 1991, is amended to read as follows:
 78 17 1. For medicine and surgery, **and** osteopathy, and
 78 18 osteopathic medicine and surgery, and acupuncture, medical
 78 19 examiners.]

78 20 [Sec. 61. Section 147.74. Code Supplement 1991, is amended **VETOED**
 78 21 by adding the following new subsection after subsection 16 and
 78 22 renumbering the remaining subsection:
 78 23 NEW SUBSECTION. 17. An acupuncturist registered under
 78 24 chapter 148E may use ~~the~~ words registered acupuncturist
 78 25 after the person's name.]

78 26 [Sec. 62. Section 147.80, Code Supplement 1991, is amended **VETOED**
 78 27 by adding the following new subsection after subsection 23 and
 78 28 renumbering the remaining subsections:
 78 29 NEW SUBSECTION. 24. Registration to practice acupuncture,
 78 30 registration to practice acupuncture under a reciprocal
 78 31 agreement, or renewal of registration to practice acupuncture.]7

78 32 Sec. 63. Section 225C.25, Code 1991, is amended to read as
 78 33 follows:
 78 34 225C.25 SHORT TITLE.
 78 35 Sections 225C.25 through ~~225C.28~~ 225C.28B shall be known as
 79 1 the bill of rights and service quality standards of persons
 79 2 with mental retardation, developmental disabilities, brain

CODE: Technical correction needed as a result of regulating acupuncturists.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

CODE: Allows an acupuncturist registered under Chapter 148E to use the title "registered acupuncturist" after the person's name.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be **approved**.

CODE: Requires an examining board to set the fees for specified registrations to practice acupuncture.

VETOED: The Governor vetoed language pertaining to the practice of acupuncture, stating that this issue requires additional study and cannot be approved.

CODE: Provides that Sections 225C.25 through 225C.28B, Code of laws, shall be known as the Bill of Rights and service quality standards of persons with MR/DD/BI/CMI.

79 3 injury, or chronic mental illness.
 79 4 Sec. 64. Section 225C.26, Code 1991, is amended to read as
 79 5 follows:
 79 6 225C.26 SCOPE.
 79 7 These rights and service quality standards apply to any
 79 8 person with mental retardation, a developmental disability,
 79 9 brain injury, or chronic mental illness who receives services
 79 10 which are funded in whole or in part by public funds or
 79 11 services which are permitted under Iowa law.
 79 12 Sec. 65. Section 225C.27, unnumbered paragraph 1, Code
 79 13 1991, is amended to read as follows:
 79 14 Sections 225C.25 through ~~225C.28~~ 225C.288 shall be
 79 15 liberally construed and applied to promote their purposes and
 79 16 the stated rights and service quality standards. The
 79 17 division, in coordination with appropriate agencies, shall
 79 18 adopt rules to implement the purposes of ~~sections 225C.25~~
 79 19 ~~through 225C.28~~ section 225C.288, subsections 3 and 4, which
 79 20 include, but are not limited to the following:

79 21 Sec. 66. NEW SECTION. 225C.28A SERVICE QUALITY
 79 22 STANDARDS.
 79 23 As the state participates more fully in funding services to
 79 24 persons with mental retardation, developmental disabilities,
 79 25 brain injury, or chronic mental illness, it is the intent of
 79 26 the general assembly that the state shall seek to attain the
 79 27 following quality standards in the provision of the services:
 79 28 1. Provide comprehensive evaluation and diagnosis adapted
 79 29 to the cultural background, primary language, and ethnic
 79 30 origin of the person.
 79 31 2. Provide an individual treatment, habilitation, and
 79 32 program plan.
 79 33 3. Provide individualized treatment, habilitation, and
 79 34 program services as appropriate.
 79 35 4. Provide periodic review of the individual plan.
 80 1 5. Provide for the least restrictive environment and age-
 80 2 appropriate services.
 80 3 6. Provide appropriate training and employment

CODE: Provides it is the intent of the General Assembly that the State seek to attain specified quality standards in providing services for persons with MR/DD/BI/CMI.

PG LN	Senate File 2355	Explanation
80 4 80 5	opportunities so that the person's ability to contribute to and participate in the community is maximized.	
80 6 80 7 80 8	Sec. 67. <u>NEW SECTION</u> . 225C.28B RIGHTS OF PERSONS WITH MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, BRAIN INJURY, OR CHRONIC MENTAL ILLNESS.	CODE: Provides rights for persons with MR/DD/BI/CMI: wage protection, insurance protection, due process, and participation in planning activities.
80 9 80 10 80 11	All of the following rights shall apply to a person with mental retardation, a developmental disability, brain injury, or chronic mental illness:	
80 12 80 13 80 14 80 15 80 16	1. Wage protection. A person with mental retardation, a developmental disability, brain injury, or chronic mental illness engaged in work programs shall be paid wages commensurate with the going rate for comparable work and productivity	
80 17 80 18 80 19 80 20 80 21	2. Insurance protection. Pursuant to section 5078.4, subsection 7, a person or designated group of persons shall not be denied insurance coverage by reason of mental retardation, a developmental disability, brain injury, or chronic mental illness.	
80 22 80 23 80 24 80 25	3. Due process. A person with mental retardation, a developmental disability, brain injury, or chronic mental illness retains the right to citizenship in accordance with the laws of the state.	
80 26 80 27 80 28 80 29 80 30	4. Participation in planning activities. If an individual treatment, habilitation, and program plan is developed for a person with mental retardation, a developmental disability, brain injury, or chronic mental illness, the person has the right to participate in the formulation of the plan.	
80 31 80 32	Sec. 68. Section 225C.29, Code 1991, is amended to read as follows:	
80 33	225C.29 COMPLIANCE.	
80 34 80 35 81 1 81 2 81 3	Except for a violation of section 225C.28, subsection 9 <u>225C.288, subsection 2</u> , the sole remedy for violation of a rule adopted by the division to enforce or implement this Act <u>sections 225C.25 through 225C.28B</u> shall be by a proceeding for compliance initiated by request to the division pursuant to	CODE: Provides that any rules adopted to implement Sections 225C.25 through 225C.280, Code of Iowa, do not create any right, entitlement, property or liberty interest, or private cause of action for damages against the State or its political subdivisions.

81 4 chapter 17A. Any decision of the division shall be in
 81 5 accordance with due process of law and is subject to appeal to
 81 6 the Iowa district court pursuant to sections 17A.19 and 17A.20
 81 7 by any aggrieved party. Either the division or a party in
 81 8 interest may apply to the Iowa district court for an order to
 81 9 enforce the decision of the division. ~~Neither this Act nor~~
 81 10 any Any rules adopted by the division to implement sections
 81 11 ~~225C.25 through 225C.28B~~ do not create any right, entitlement,
 81 12 property or liberty right or interest, or private cause of
 81 13 action for damages against ~~a municipality as defined in~~
 81 14 ~~chapter 613A~~ the state or a political subdivision of the state
 81 15 or for which ~~such municipality~~ the state or a political
 81 16 subdivision of the state would be responsible. Any violation
 81 17 of section ~~225C.28, subsection 9,~~ 225C.28B, subsection 2,
 81 18 shall solely be subject to the enforcement by the commissioner
 81 19 of insurance and penalties granted by chapter 507B for a
 81 20 violation of section 507B.4, subsection 7.

81 21 Sec. 69. Section 226.7, Code 1991, is amended by adding
 81 22 the following new unnumbered paragraph:
 81 23 NEW UNNUMBERED PARAGRAPH. If the district court commits a
 81 24 patient to a state mental health institute and a bed for the
 81 25 patient is not available, the institute shall assist the court
 81 26 in locating an alternative placement for the patient.

CODE: Requires the DHS to assist the court in locating an alternative placement for a patient who has been committed to an MHI when there is no available bed.

81 27 Sec. 70. Section 230A.14, Code 1991, is amended to read as
 81 28 follows:
 81 29 230A.14 SUPPORT OF CENTER -- FEDERAL FUNDS.
 81 30 The board of supervisors of any county served by a
 81 31 community mental health center established or continued in
 81 32 operation as authorized by section 230A.1 may expend money
 81 33 from county funds, ~~federal revenue-sharing funds,~~ or other
 81 34 federal matching funds designated by the board of supervisors
 81 35 for that purpose, without a vote of the electorate of the
 82 1 county, to pay the cost of any services described in section.
 82 2 230A.2 which are provided by the center or by an affiliate
 82 3 under contract with the center, or to pay the cost of or grant

CODE: Strikes language that prohibits a county Board of Supervisors from expending more than \$8.00 per capita for mental health treatment in any county less than 40,000 in population.

PG LN	Senate File 2355	Explanation
82 4 82 5 82 6 82 7 82 8 82 9 82 10	funds for establishing, reconstructing, remodeling, or improving any facility required for the center. However, the county board shall not expend money from that fund, except for designated revenue sharing or other federal matching funds, for mental health treatment obtained outside a state institution in an amount exceeding eight dollars per capita in any county having less than forty thousand population.	
82 11 a2 12 a2 13 82 14 82 15 82 16 82 17 82 18 82 19 82 20 82 21 82 22 82 23 82 24 82 25 82 26 82 27 82 28 82 29 82 30 82 31	<p>Sec. 71. Section 234.40, Code 1991, is amended to read as follows:</p> <p>234.40 CORPORAL PUNISHMENT.</p> <p>The department of human services shall not adopt or enforce any rule or policy <u>rules</u> prohibiting limited corporal punishment of foster children by foster parents licensed by the department. This paragraph shall not prevent promulgation of rules prohibiting malicious, willful and wanton conduct by a foster parent which causes injury or damage to a foster child, or exposes the foster child to danger of such injury or damage- The rules shall allow foster parents to use <u>reasonable physical force to restrain a foster child in order to prevent injury to the foster child, injury to others, the destruction of property, or extremely disruptive behavior.</u> <u>For the purposes of this section, corporal punishment means the intentional physical punishment of a foster child. A foster parent's physical contact with the body of a foster child shall not be considered corporal punishment if the contact is reasonable and necessary under the circumstances and is not designed or intended to cause pain or if the foster parent uses reasonable force, as defined under section 704.1.</u></p>	<p>CODE: Requires the DHS to adopt rules prohibiting corporal punishment of foster children by foster parents licensed by the DHS. Requires the rules to allow foster parents to use reasonable physical force under certain conditions.</p>
82 32 82 33 82 34 82 35 83 1 83 2 83 3	<p>Sec. 72. Section 249A.25, subsection 4, paragraph i, Code Supplement 1991, is amended by striking the paragraph.</p> <p>Sec 73. Section 249A.25. subsection 4, 'paragraph j, Code Supplement 1991, is amended to read as follows:</p> <p>j. Issue a final advisory decision regarding any issue of disagreement between a county and the department relating to expenditures for candidate services or the county's</p>	<p>CODE: Amends several Code citations relating to a county's MOE.</p>

83 4 ~~maintenance of effort.~~
 83 5 Sec. 74. Section 249A.26, subsection 3, Code Supplement
 83 6 1991, is amended by striking the subsection.

83 7 Sec. 75. Section 331.438, Code 1991, is amended to read as
 83 8 follows:
 83 9 331.438 COUNTY MENTAL HEALTH SERVICES EXPENDITURES FROZEN.
 83 10 In the event the ~~Seventy-fourth~~ General Assembly does not
 83 11 enact legislation to implement a funding formula for state
 83 12 participation in funding of mental health, mental retardation,
 83 13 and developmental disabilities services which takes effect in
 83 14 the fiscal year beginning July 1, \$992 ~~1996~~, the mental
 83 15 health, mental retardation, and developmental disabilities
 83 16 services expenditures of counties shall be frozen in the
 83 17 amount the counties expended for those services in the fiscal
 83 18 year beginning July 1, ~~1994~~ 1995. The expenses in excess of
 83 19 the frozen amount shall be paid for by the state in a timely
 83 20 manner that is not disruptive to persons providing or
 83 21 receiving services.

CODE: Extends the deadline for the General Assembly to enact legislation to implement a funding formula for State participation in funding of MH/MR/DD services until July 1, 1996 before a freeze on county funding for these services would take place with the State paying anything in excess of the frozen amount.

83 22 Sec. 76. 1992 Iowa Act, Senate File 2366, section 9,
 83 23 subsection 3, paragraphs c and e, if enacted by the ~~Seventy-~~
 83 24 fourth General Assembly, 1992 Session, are amended to read as
 83 25 follows:

83 26 c. Foster care:	
83 27	\$ 4,257,392
83 28	<u>14,262,340</u>
83 29 e. Local administrative costs and other local services:	
83 30	\$ 11,142,810
83 31	<u>1,137,862</u>

CODE: Amends SF 2366, the Block Grant bill, by transferring \$10,004,948 from local administrative costs and other local services to Foster Care.

83 32 Sec. 77. 1992 Iowa Acts, Senate File 2366, section 50,
 83 33 subsection 60, if enacted by the ~~Seventy-fourth~~ General
 83 34 Assembly, 1992 Session, is amended to read as follows:
 83 35 60. For ~~block grant supplementation~~ foster care, grant
 84 1 number 13667:
 84 2

\$ 10,004,948

84 3 Sec. 78. EMERGENCY RULES. If specifically authorized by a
 84 4 provision of this Act, the department of human services may
 84 5 adopt administrative rules under section 17A.4, subsection 2,
 84 6 and section 17A.5, subsection 2, paragraph b, to implement
 84 7 the provisions and the rules shall become effective
 84 8 immediately upon filing, unless a later effective date is
 84 9 specified in the rules. In addition, the department may adopt
 84 10 administrative rules in accordance with the provisions of this
 84 11 section as necessary to comply with federal requirements or to
 84 12 adjust to a change in the level of federal funding which
 84 13 affect refugee programs during the fiscal period beginning
 84 14 July 1, 1992, and ending June 30, 1993. Any rules adopted in
 84 15 accordance with the provisions of this section shall also be
 84 16 published as notice of intended action as provided in section
 84 17 17A.4.

Permits the DHS to adopt emergency administrative rules as specifically authorized by a provision of this Act, or if necessary to comply with federal requirements or changed federal funding levels for refugee programs.

84 18 Sec. 79. REPEAL. Section 225C.28 is repealed.

CODE: Repeals the Bill of Rights for persons with MR/DD/CMI.

84 19 Sec. 80. EFFECTIVE DATE. Section 12, subsection 8,
 84 20 relating to the demonstration program to decategorize child
 84 21 welfare services, section 13 of this Act, relating to foster
 84 22 care SSI eligibility determinations, and section 16,
 84 23 subsection 1, relating to a determination of allocations by
 84 24 the state court administrator, being deemed of immediate
 84 25 importance, take effect upon enactment.

Provides that specified sections relating to decategorization, foster care SSI eligibility determinations, and court-ordered services to juveniles are effective upon enactment.

84 26 SF 2355

84 27 jp/cc/26

**EXECUTIVE SUMMARY
JUSTICE SYSTEM APPROPRIATIONS BILL**

SENATE FILE 2348

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

• *All General Fund appropriations in this bill were reduced by 2.0% by SF 2393, the Second Extraordinary Session Bill, except Corrections institutions and note payments for Corrections institutions, resulting in a net reduction of \$2.3 million from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*

- Adds **\$348,000** for violator treatment programs in the Second, Seventh, and Eighth Community Based Corrections (CBC) District Departments. (Page 10, Line 19; Page 12, Line 16; and Page 13, Line 1)

• Adds **\$100,000** for a Child Custody Pilot Project in Linn County. (Page 15, Line 28) *This item was vetoed by the Governor.*

• Department of Justice (DOJ): Deducts **\$60,000** and **1.0 FTE** position to eliminate a middle management position. (Page 1, Line 6)

• Department of Corrections (DOC): Adds a net of \$7.5 million and **133.0 FTE** positions to operate a net gain of **627** new correctional beds. The beds are located at: Oakdale (100 beds), ~~Newton~~ (100 beds), Rockwell City (120 beds), Mitchellville (110 beds), ~~West~~ Union (30 beds), ~~Mason~~ City (33 beds), Sheldon (24 beds), Des Moines (48 beds), Coralville (22 beds), Davenport (20 beds), and Burlington (20 beds). (Various)

• DOC: Deducts **24.8 FTE** positions which were eliminated by the FY 1992 Reduction In Force (RIF) Plan. (Various)

• DOC: Adds **\$268,000** for increases in food and utility costs at the Ft. ~~Madison~~, Anamosa, and Mt. Pleasant Correctional Facilities. (Page 6, Line 8; Page 6, Line 14; and Page 7, Line 3)

*DOC: Adds **\$110,000** for ~~sewer~~ repairs at the Anamosa and Mitchellville Correctional Facilities. (Page 6, Line 14 and Page 7, Line 23)

• DOC: Deducts **\$71,000** and **2.0 FTE** positions to eliminate middle management positions at the Oakdale Correctional Facility. (Page 6, Line 26)

**EXECUTIVE SUMMARY
JUSTICE SYSTEM APPROPRIATIONS BILL**

SENATE FILE 2348

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

STUDIES AND INTENT LAP GUAGE

- DOC: Adds **\$163,000** and **2.0 FTE** positions for The **Other Way (TOW)** Substance Abuse Treatment Program at the Clarinda Correctional Facility. This replaces lost federal funds and expands the Program. (Page 7, Line 17)
- DOC: Adds **\$167,000** and transfers **\$34,000** from the Department of Education for job training and education programs in the First, Fifth, and Sixth CBC District Departments. (Page 10, Line 5; Page 11, Line 24; and Page 12, Line 2)
- DOC: Deducts **\$11,000** which was budgeted for reimbursements to the State Auditor. (Various)
- DOC: Adds **\$40,000** for funding a lease-purchase payment for the new Sioux City residential facility in the Third CBC District Department. (Page 10, Line 33)
- Requires the court to review the fees charged by outside counsel, if outside counsel is retained by a member or members of the General Assembly who are proceeding on behalf of the General Assembly, or if outside counsel is retained by the Governor or a department. The Legislative and Executive Councils are not permitted to reimburse outside counsel's fees in excess of those determined by the court to be fair and reasonable. (Page 17, Line 15 through Page 17, Line 29)
- Expands eligibility for claims from the Victim Compensation Fund by permitting the DOJ to waive, for good cause, the requirement that victims notify law enforcement personnel within 72 hours of a crime occurring. (Page 24, Line 9)
- Extends the sunset of the Farm Mediation and Farm Legal Assistance Programs from July 1, 1993 to July 1, 1995. (Page 18, Line 14; Page 24, Line 1 through Page 24, Line 8) *This item was vetoed by the Governor.*
- Requires the General Assembly to approve the sale of State-owned farmland prior to the sale occurring. (Page 18, Line 19 through Page 21, Line 13) *This item was vetoed by the Governor.*
- *Requires the College Student Aid Commission to develop and implement, in cooperation with the CBC District Departments and the DOC, a program to assist offenders in applying for State and federal higher education aid. (Page 21, Line 14)
- *Requires the Attorney General's Office to provide statistics regarding the Farm Mediation Service Program. (Page 1, Line 13)

**EXECUTIVE SUMMARY
JUSTICE SYSTEM APPROPRIATIONS BILL**

SENATE FILE 2348

*Requires the Attorney General's **Office** to provide up to \$41,000 from forfeited **property** receipts for the Prosecuting Attorney Training Program, the Prosecuting Intern Program, or both. The **Office** is also required to provide up to \$10,000 from forfeited property receipts for the continuation of the Domestic Violence Response Enhancement Program. (Page 1, Line 25 through Page 3, Line 1)

-Requires counties which install new telephone systems to **provide those** systems to all Judicial Department offices within the county at no cost. (Page 15, Line 18)

-Requires the Judicial Department to provide a report **semiannually** to the Co-Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee regarding the amount of **finer**, surcharges, and court costs collected using the Iowa Court Information System (ICIS) versus a manual collection system. (Page 16, Line 12)

•Requires the DOC, CBC District Departments, Parole Board, and Judicial Department to develop an automated data system to share information. (Page 16, Line 23)

•Requires the DOC, and the Departments of Public Health, Human **Services**, Elder Affairs, and Inspections and Appeals to cooperate in developing community placements for elderly or infirm inmates. (Page 16, Line 35)

•Requests that the Legislative Council conduct an interim study and **hire a** consultant to review the ICIS. (Page 25, Line 24)

•**The** Governor vetoed language which would have provided \$100,000 and **made** statutory changes for the implementation of a Child Custody Mediation Pilot Project in Linn County. The Governor stated that the State has received a Federal Family Support Act grant to study issues such as mediation, family counseling, and visitations. The Governor believes the State "should review the results of the study before establishing a new program." (Various)

-The Governor vetoed language which would have extended **the sunset** of the Farm Mediation and Farm Legal Assistance Programs from July 1, 1993 to July 1, 1995. The Governor stated that these Programs were established due to the **1980's** farm crisis and that the Programs should be reviewed annually. (Page 18, Line 14; Page 24, Lines 1 and 5)

GOVERNOR'S VETOES

**EXECUTIVE SUMMARY
JUSTICE SYSTEM APPROPRIATIONS BILL**

SENATE FILE 2348

- The Governor ~~vetoed language~~ which would have required the ~~General~~ Assembly to ~~approve~~ the sale of State-owned farmland under the control of the DOC and the Department of Human Services, prior to the sale occurring. The Governor stated that the Departments "should ~~retain~~ the authority to dispose of real property under their control." (Page 18, Line 19 through Page 21, Line 13)

Senate File 2348

Senate File 2348 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
4	7	15	Nwthstnd	Sec. 8.33 or 8.39	Non-Reversion or Transfer of Funds
8	3	4.3	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
17	15	11	Adds	Sec. 2.12A	Outside Legal Counsel Fee Review
17	29	12	Amends	Sec. 13.3	Outside Legal Counsel Fee Review
18	14	13	Amends	Sec. 13.25	Sunset Extension
18	19	14	Amends	Sec. 218.94	State Farmland Sale
19	20	15	Amends	Sec. 246.317	State Farmland Sale
20	19	16	Amends	Sec. 246.706	State Farmland Sale
				Code Supplement 1991	
21	14	17	Adds	Sec. 261.2(15)	Offender Education
21	21	18	Amends	Sec. 598.41(2)	Child Custody Pilot Project
21	26	19	Adds	Sec. 598.43	Child Custody Pilot Project
22	31	20	Amends	Sec. 602.8105(1)(a)	Journal Publication Fee
				Code Supplement 1991	
23	14	21	Amends	Sec. 618.13	Journal Publication Fee
24	1	22	Amends	Sec. 654A.17	Sunset Extension
24	5	23	Amends	Sec. 6548.12	Sunset Extension
24	9	24	Amends	Sec. 912.4(2)	Victim Compensation Fund
				Code Supplement 1991	
24	29	26	Nwthstnd	Sec. 668A.1(2)(b)	Pilot Project-Indlgents

1 1 Section 1. DEPARTMENT OF JUSTICE. There is appropriated
 1 2 from the general fund of the state to the department of
 1 3 justice for the fiscal year beginning July 1, 1992, and ending
 1 4 June 30, 1993, the following amounts, or *so* much thereof as is
 1 5 necessary, to be used for the purposes designated:

1 6 1. For the general office of attorney general for
 1 7 salaries, support, maintenance, miscellaneous purposes
 1 8 including odometer fraud enforcement, the farm mediation
 1 9 service program, and legal assistance for farmers, and for not
 1 10 more than the following full-time equivalent positions:
 1 11 \$ 4,565,796
 1 12 FTEs 173.00

..

1 13 The attorney general shall provide statistics regarding the
 1 14 number of clients served by the farm mediation service, the
 1 15 clients' general financial characteristics, and benefits
 1 16 provided by the farm mediation service to the co-chairpersons
 1 17 and ranking members of the joint justice system appropriations
 1 18 subcommittee and the legislative fiscal bureau on or before
 1 19 January 15, 1993.

General Fund appropriation to the Department of Justice (DOJ) for the Office of Attorney General.

DETAIL: This is an increase of \$330,836 and a decrease of 1.00 FTE position compared to the estimated net FY 1992 appropriation due to:

1. Adding \$37,735 to current operations.
2. Adding \$100,000 for motor vehicle fraud enforcement.
3. Deducting \$60,400 and 1.00 FTE position to eliminate a middle management position.
4. Transferring into the operating budget \$96,750 for the Farm Mediation Service Program.
5. Transferring into the operating budget \$96,750 for the Farm Legal Assistance Program.
6. Transferring into the operating budget \$60,000 for the administration of the Victim Program.
 The Office of the Attorney General is no longer permitted to be reimbursed from the General Fund appropriation for Victim Assistance Grants.

Requires the Attorney General to provide a report to the Co-Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Fiscal Bureau (LFB), regarding the number of clients served, clients' general financial characteristics, and benefits provided by the Farm Mediation Service. Requires the report to be filed by January 15, 1993.

1 20 2. Prosecuting attorney training program for salaries,
 1 21 support, maintenance, miscellaneous purposes, and for not more
 1 22 than the following full-time equivalent positions:
 1 23 \$ 133,074
 1 24 FTEs 4.75

General Fund appropriation to the DOJ for the Prosecuting Attorney Training Program.

DETAIL: This is an increase of \$1,175 and no change in FTE positions compared to the estimated net FY 1992 appropriation due to adding funds to current operations.

NOTE: Section 11 of SF 2345 (Transportation and Safety Appropriations Bill) as amended by Section 37 of HF 2486 (Standings Appropriations Limitations Bill) appropriates \$10,000 from the Victim Compensation Fund to the Prosecuting Attorneys Training Coordinator for the one-time costs of implementing a course in Hate Crimes Training.

1 25 a. In addition to the funds appropriated in this
 1 26 subsection for the fiscal year beginning July 1, 1992, and
 1 27 ending June 30, 1993, the attorney general shall provide up to
 1 28 \$41,000 in state matching funds from moneys retained by the
 1 29 attorney general from property forfeited pursuant to section
 1 30 809.13, for the prosecuting attorney training program, the
 1 31 prosecuting intern program, or both. Counties participating
 1 32 in the prosecuting intern program shall match the state funds.

Requires the Office of the Attorney General to provide up to \$41,000 from forfeited property receipts to fund the Prosecuting Attorney Training Program, the Prosecuting Intern Program, or both. Requires counties participating in the Prosecuting Intern Program to match the State funds.

1 33 b. In addition to the funds appropriated in this
 1 34 subsection for the fiscal year beginning July 1, 1992, and
 1 35 ending June 30, 1993, and the moneys retained by the attorney
 2 1 general pursuant to paragraph a, the attorney general shall
 2 2 provide up to \$10,000 in state matching funds from moneys
 2 3 retained by the attorney general from property forfeited
 2 4 pursuant to section 809.13, for the office of the prosecuting
 2 5 attorneys training coordinator to use for continuation of the
 2 6 domestic violence response enhancement program.
 2 7 The domestic violence response enhancement program shall
 2 8 include research, training, and other services pertaining to

Requires the Office of the Attorney General to provide up to \$10,000 from forfeited property receipts to fund the continuation of the Domestic Violence Response Enhancement Program (DVREP) by the Prosecuting Attorneys Training Coordinator. Describes the DVREP.

2 9 the investigation and prosecution of domestic abuse assault,
 2 10 as defined in section 708.2A. The prosecuting attorneys
 2 11 training coordinator shall cooperate and consult with the Iowa
 2 12 coalition against domestic violence, the office of the
 2 13 attorney general, the department of public safety, the Iowa
 2 14 law enforcement academy, the division of criminal and juvenile
 2 15 justice planning of the department of human rights, and other
 2 16 public and private agencies in the continuation of this
 2 17 program. Components of the program shall include, but are not
 2 18 limited to, the following:
 2 19 (1) Updating and revising, as necessary, the domestic
 2 20 abuse prosecution manual previously published by the office of
 2 21 the prosecuting attorneys training coordinator.
 2 22 (2) Training events concerning pertinent laws, policies,
 2 23 and procedures relating to domestic abuse for prosecuting
 2 24 attorneys on either a regional or statewide basis, which shall
 2 25 be open to peace officers and other interested professionals.
 2 26 (3) Preparing and distributing brochures to assist victims
 2 27 of domestic violence in becoming fully advised of their rights
 2 28 and services that are available to victims.
 2 29 (4) Studying the development and promulgation of
 2 30 comprehensive enforcement and prosecution policies to improve
 2 31 the criminal justice system response to, as well as the just
 2 32 disposition of, domestic violence matters.
 2 33 (5) Coordinating the efforts of prosecuting attorneys and
 2 34 domestic abuse victims' advocates or other victims' advocates,
 2 35 where available, and facilitating the early provision of
 3 1 victim advocacy services.

3 2 3. In addition to the funds appropriated under subsection
 3 3 1, there is appropriated from the general fund of the state to
 3 4 the department of justice for the fiscal year beginning July
 3 5 1, 1992, and ending June 30, 1993, an amount not exceeding
 3 6 \$200,000 to be used for the enforcement of the Iowa
 3 7 competition law. The expenditure of the funds appropriated in
 3 8 this subsection is contingent upon receipt by the general fund
 3 9 of the state of an amount at least equal to either the

Contingent appropriation to the DOJ for the
 enforcement of the Iowa Competition Law. Requires
 the appropriation to be contingent upon the receipt
 of damages due to anti-trust lawsuits. The
 contingent appropriation is limited to \$200,000.

3 10 expenditures from damages awarded to the state ~~or~~ a political
 3 11 subdivision of the state by a civil judgment under chapter
 3 12 553, if the judgment authorizes the use of the award for
 3 13 enforcement purposes ~~or~~ costs ~~or~~ attorneys fees awarded the
 3 14 state in state or federal antitrust actions. However, if the
 3 15 funds received as a result of these judgments are in excess of
 3 16 \$200,000, the excess funds shall not be appropriated to the
 3 17 department of justice pursuant to this subsection.

3 18 4. In addition to the funds appropriated in subsection 1,
 3 19 there is appropriated from the general fund of the state to
 3 20 the department of justice for the fiscal year beginning July
 3 21 1, 1992, and ending June 30, 1993, an amount not exceeding
 3 22 \$125,000 to be used for public education relating to consumer
 3 23 fraud and for enforcement of section 714.16: and an amount not
 3 24 exceeding \$75,000 ~~for~~ investigation, prosecution, and consumer
 3 25 education relating to consumer and criminal fraud against
 3 26 older lowans. The expenditure of the funds appropriated in
 3 27 this subsection is contingent upon receipt by the general fund
 3 28 of the state of an amount at least equal to the expenditures
 3 29 from damages awarded to the state or a political subdivision
 3 30 of the state by a civil consumer fraud judgment ~~or~~ settlement,
 3 31 if the judgment ~~or~~ settlement authorizes the use of the award
 3 32 ~~for~~ public education on consumer fraud. However, if the funds
 3 33 received as a result of these judgments and settlements are in
 3 34 excess of \$200,000, the excess funds shall not be appropriated
 3 35 to the department of justice pursuant to this subsection.

Contingent appropriation to the DOJ for consumer education to combat consumer fraud. Requires the appropriation to be contingent upon the receipt of damages due to consumer fraud lawsuits. The contingent appropriation is limited to \$200,000. Of this amount, \$125,000 is to be used for public education and \$75,000 is to be used for investigation, prosecution, and consumer education relating to fraud against older lowans.

4 1 5. For victim assistance grants:
 4 2 \$ 1,294,500

General Fund appropriation to the DOJ for the Victim Assistance Program.

DETAIL: This is a decrease of \$48,037 compared to the estimated net FY 1992 appropriation due to:

1. Transferring \$60,000 to the Attorney General's Office for administration of the Victim Programs. The Office of the Attorney General is

no longer permitted to be reimbursed from the General Fund appropriation for Victim Assistance.

2. Adding \$11,963 to current operations.

The estimated net FY 1992 appropriation contains \$100,000 in one-time costs to establish batterers' treatment programs in the Community Based Corrections (CBC) District Departments. Therefore, grants to service providers will increase during FY 1993.

4 3 The funds appropriated in this subsection shall be used to
4 4 provide grants to care providers providing services to crime
4 5 victims of domestic abuse or to crime victims of rape and
4 6 sexual assault.

Requires that the funds be awarded as grants to care providers of domestic abuse, rape, and sexual assault victims.

4 7 Notwithstanding section 8.33 or 8.39, any balance remaining
4 8 from the appropriation made pursuant to this subsection shall
4 9 not revert to the general fund of the state but shall be
4 10 available for expenditure during the subsequent fiscal year
4 11 for the same purpose, and shall not be transferred to any
4 12 other program.

CODE: Allows the balance remaining at the end of FY 1993 to carry forward into FY 1994 and prohibits the transfer of the Victim Assistance Grants appropriation to any other program.

4 13 6. For the GASA prosecuting attorney program:
4 14 \$ 100,039
4 15 FTEs 3.00

General Fund appropriation to the DOJ for the Governor's Alliance on Substance Abuse (GASA) Prosecuting Attorney Program.

DETAIL: This is an increase of \$884 and no change in FTE positions compared to the estimated net FY 1992 appropriation due to adding funds to current operations.

4 16 7. The balance of the victim compensation fund established
4 17 under section 912.14 may be used to provide salary and support
4 18 of not more than 7.00 FTEs and to provide maintenance for the
4 19 victim compensation functions of the department of justice.

Permits 7.00 FTE positions to be reimbursed from the Victim Compensation Fund to administer the victim compensation functions of the DOJ.

DETAIL: This is an increase of 1.00 FTE position

compared to the estimated net FY 1992 appropriation.

4 20 8. The department of justice shall submit monthly
4 21 financial statements to the legislative fiscal bureau and the
4 22 department of management containing all appropriated accounts
4 23 in the same manner as provided in the monthly financial status
4 24 reports and personal services usage reports of the department
4 25 of revenue and finance. The monthly financial statements
4 26 shall include comparisons of the moneys and percentage spent
4 27 of budgeted to actual revenues and expenditures on a
4 28 cumulative basis for full-time equivalent positions and
4 29 available moneys.

Requires the DOJ to submit monthly financial statements on all appropriated accounts to the LFB and the Department of Management (DOM).

4 30 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
4 31 appropriated from the general fund of the state to the office
4 32 of consumer advocate of the department of justice for the
4 33 fiscal year beginning July 1, 1992, and ending June 30, 1993,
4 34 the following amount, or so much thereof as is necessary, to
4 35 be used for the purposes designated:

General Fund appropriation to the DOJ for the Office of the Consumer Advocate.

5 1 For salaries, support, maintenance, miscellaneous purposes,
5 2 and for not more than the following full-time equivalent
5 3 positions:
5 4 \$ 1,943,708
5 5 FTEs 32.00

DETAIL: This is an increase of \$17,167 and no change in FTE positions compared to the estimated net FY 1992 appropriation due to adding funds to current operations.

5 6 Sec. 3. BOARD OF PAROLE. There is appropriated from the
5 7 general fund of the state to the board of parole for the
5 8 fiscal year beginning July 1, 1992, and ending June 30, 1993,
5 9 the following amount, or so much thereof as is necessary, to
5 10 be used for the purposes designated:

General Fund appropriation to the Parole Board.

5 11 For salaries, support, maintenance, including maintenance
5 12 of an automated docket and the board's automated risk
5 13 assessment model, employment of two statistical research
5 14 analysts to assist with the application of the risk assessment
5 15 model in the parole decision-making process, miscellaneous
5 16 purposes, and for not more than the following full-time
5 17 equivalent positions:

DETAIL: This is an increase of \$6,515 and no change in FTE positions compared to the estimated net FY 1992 appropriation due to adding funds to current operations.

Requires the Board to:

- 1. Maintain an automated docket and an automated risk assessment model.
- 2. Employ 2 statistical research analysts.

5 18	\$	718,320
5 19	FTEs	18.00

5 20 a. The board of parole shall require the board's
 5 21 administrative staff to be cross-trained to assure that each
 5 22 individual on that staff is familiar with all tasks performed
 5 23 by the staff.

Requires the Parole Board to cross-train staff.

5 24 b. The department of corrections and the board of parole
 5 25 shall review, and implement as **necessary**, the findings and
 5 26 recommendations contained in the final report prepared by the
 5 27 consultant and presented to the corrections system review task
 5 28 force which was established by 1988 Iowa Acts, chapter 1271,
 5 29 as they relate to the department of corrections and the board
 5 30 of parole. The board shall report to the joint justice system
 5 31 appropriations subcommittee during the 1993 session of the
 5 32 general assembly, at the request of the subcommittee, steps
 5 33 taken to implement any of the recommendations, or the reasons
 5 34 for failing to implement the recommendations.

Requires the Department of Corrections (DOC) and Parole Board to review and implement recommendations of the consultants employed by the Corrections System Review Task Force, as the recommendations relate to the duties of these agencies. Requires the Parole Board to report to the Justice System Appropriations Subcommittee during the 1993 Legislative Session, regarding implementation, or failure to implement, such recommendations.

5 35 **Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES.** There is
 6 1 appropriated from the general fund of the state to the
 6 2 department of corrections for the fiscal year beginning July
 6 3 1, 1992, and ending June 30, 1993, the following amounts, or
 6 4 so much thereof as is necessary, to be used for the purposes
 6 5 designated:
 6 6 1. For the operation of adult correctional institutions,
 6 7 to be allocated as follows:

6 8 a. For the operation of the Fort Madison correctional		
6 9 facility, including salaries, support, maintenance, employment		
6 10 of 310 correctional officers, miscellaneous purposes, and for		
6 11 not more than the following full-time equivalent positions:		
6 12	\$	21,036,470
6 13	FTEs	494.50

General Fund appropriation to the DOC for the Ft. Madison Correctional Facility.

DETAIL: This is an increase of \$142,702 and a decrease of 8.00 FTE positions compared to the estimated net FY 1992 appropriation due to:

1. Adding \$92,914 for increases in food and utility

6 14 b. For the operation of the Anamosa correctional facility,
 6 15 including salaries, support, maintenance, employment of 211
 6 16 correctional officers and a part-time chaplain to provide
 6 17 religious counseling to inmates of a minority race,
 6 18 miscellaneous purposes, and for not more than the following
 6 19 full-time equivalent positions:

6.20	\$ 15,644,078
6 21	FTEs 352.00

6 22 Moneys are provided within this appropriation for 2 full-
 6 23 time substance abuse counselors for the Luster Heights
 6 24 facility, for the purpose of certification of a substance
 6 25 abuse program at that facility.

- costs.
- 2. Adding \$49,788 for increases in the court-ordered medical contract.
- 3. Deducting 8.00 FTE positions which were eliminated by the FY 1992 Reduction In Force (RIF) Plan.

Requires the Ft. Madison Correctional Facility to employ 310 correctional officers.

General Fund appropriation to the DOC for the Anamosa Correctional Facility.

DETAIL: This is an Increase of \$147,881 and a decrease of 4.00 FTE positions compared to the estimated net FY 1992 appropriation due to:

- 1. Adding \$100,413 for increases in food and utility costs.
- 2. Deducting \$6,880 to maintain the 25.0% State match requirement to receive GASA substance abuse treatment funds.
- 3. Deducting 4.00 FTE positions which were eliminated by the FY 1992 RIF Plan.
- 4. Adding \$54,350 for the Facility's share of the total cost for renovating the City's sewer system. This is an annual cost for each of the next 15 years.

Requires the Anamosa Correctional Facility to employ 211 correctional officers and a part-time chaplain.

Requires the facility to employ 2 substance abuse counselors at the Luster Heights Camp.

7 8 more than the following full-time equivalent positions:
 7 9 \$ 11,143,365
 7 10 FTEs 261.34

estimated net FY 1992 appropriation due to:

1. Deducting 5.81 FTE positions which were eliminated by the FY 1992 RIF Plan.
2. Adding \$74,790 for increased food and utility costs.
3. Deducting \$1,300 budgeted for Auditor reimbursements.
4. Adding \$2,801 for a shared position between the DOC and the Department of Human Services (DHS) facilities.

Requires the Mt. Pleasant Correctional Facility to employ 141 correctional officers, and a full-time chaplain to provide religious counseling at the Mt. Pleasant and Oakdale Correctional Facilities.

7 11 f. For the operation of the Rockwell City correctional
 7 12 facility, including salaries, support, maintenance,
 7 13 miscellaneous purposes, and for not more than the following
 7 14 full-time equivalent positions:
 7 15 \$ 4,860,429
 7 16 FTEs 108.00

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is an increase of \$1,465,307 and 25.11 FTE positions compared to the estimated net FY 1992 appropriation due to:

1. Deducting \$386,000 for the FY 1992 one-time costs of opening 120 new beds.
2. Adding \$1,853,033 and 25.11 FTE positions to operate 120 new beds.
3. Deducting \$1,725 to maintain the 25.0% State match requirement to receive GASA substance abuse treatment funds.

7 17 g. For the operation of the Clarinda correctional
 7 18 facility, including salaries, support, maintenance,
 7 19 miscellaneous purposes, and for not more than the following
 7 20 full-time equivalent positions:
 7 21 \$ 5,356,329

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is an increase of \$292,144 and a decrease of 1.00 FTE position compared to the

G LN	Senate File 2348			Explanation
7 22	.....	FTEs	136.20	estimated net FY 1992 appropriation due to:
				<ol style="list-style-type: none"> 1. Deducting 3.00 FTE positions which were eliminated by the FY 1992 RIF Plan. 2. Adding \$82,275 and 2.00 FTE positions for The Other Way (TOW) Program. 3. Adding \$130,833 to adjust for shared support services between the DOC and the DHS facilities. 4. Adding \$81,039 to replace the loss of the GASA substance abuse treatment grant for the TOW Program. 5. Deducting \$2,000 budgeted for Auditor reimbursements.
7 23	h. For the operation of the Mitchellville correctional			General Fund appropriation to the DOC for the Mitchellville Correctional Facility.
7 24	facility, including salaries, support, maintenance,			
7 25	miscellaneous purposes, and for not more than the following			DETAIL: This is an increase of \$1,238,075 and 19.36 FTE positions compared to the estimated net FY 1992 appropriation due to:
7 26	full-time equivalent positions:			
7 27	.....	\$	5,355,474	
7 28	.....	FTEs	132.50	
				<ol style="list-style-type: none"> 1. Deducting 2.00 FTE positions which were eliminated by the FY 1992 RIF Plan. 2. Adding \$1,288,426 and 21.36 FTE positions to operate 110 new beds. 3. Deducting \$114,453 for the FY 1992 one-time costs of opening 110 new beds. 4. Adding \$56,000 for the FY 1993 one-time costs of sewer repairs. 5. Deducting \$100 budgeted for Auditor reimbursements. 6. Adding \$8,203 to maintain the 25.0% State match requirement to receive GASA substance abuse treatment funds.
7 29	2. The department of corrections shall provide a report to			Requires the DOC to provide a report to the Co-Chairpersons and Ranking Members of the Justice
7 30	the co-chairpersons and ranking members of the joint justice			

31 system appropriations subcommittee and the legislative fiscal
 32 bureau on or before January 15, 1993, outlining the
 33 implementation of the centralized education program for the
 34 correctional system. The report shall include a listing of
 35 the educational institutions that are involved, the amount of
 1 any federal funds received for use with these programs, and
 2 any other pertinent information.

System Appropriations Subcommittee and the LFB,
 regarding the implementation of the comprehensive
 Institutional Education Program. Requires the report
 to be provided no later than January 15, 1993.

3 3. If the inmate tort claim fund for inmate claims of less
 4 than \$50 is exhausted during the fiscal year, sufficient funds
 5 shall be transferred from the institutional budgets to pay
 6 approved tort claims for the balance of the fiscal year. The
 7 warden or superintendent of each institution or correctional
 8 facility shall designate an employee to receive, investigate,
 9 and recommend whether to pay any properly filed inmate tort
 10 claim for less than the above amount. The designee's
 11 recommendation shall be approved or denied by the warden or
 12 superintendent and forwarded to the department of corrections
 13 for final approval and payment. The amounts appropriated to
 14 this fund pursuant to 1987 Iowa Acts, chapter 234, section
 15 304, subsection 2, are not subject to reversion under section
 16 8.33.
 17 Tort claims denied at the institution shall be forwarded to
 18 the state appeal board for their consideration as if
 19 originally filed with that body. This procedure shall be used
 20 in lieu of chapter 25A for inmate tort claims of less than
 21 \$50.

CODE: Specifies that the Inmate Tort Claim Fund,
 which pays for inmate tort claims against the State
 of less than \$50.00, is not to revert.

22 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.
 23 There is appropriated from the general fund of the state to
 24 the department of corrections for the fiscal year beginning
 25 July 1, 1992, and ending June 30, 1993, the following amounts,
 26 or so much thereof as is necessary, to be used for the
 27 purposes designated:

28 1. For general administration, including salaries,
 29 support, maintenance, employment of an education director and

General Fund appropriation to the DOC for the Central
 Office.

8 30 clerk to administer a centralized education program for the
 8 31 correctional system, miscellaneous purposes, and for not more
 8 32 than the following full-time equivalent positions:
 8 33 \$ 2,014,344
 8 34 FTEs 41.52

DETAIL: This is an Increase of \$17,677 and a decrease of 2.00 FTE positions compared to the estimated net FY 1992 appropriation due to:

1. Adding \$18,162 to current operations.
2. Deducting 2.00 FTE positions which were eliminated by the FY 1992 RIF Plan.
3. Deducting \$484 budgeted for Auditor reimbursements.

Requires the Central Office to employ an education director and clerk to administer the comprehensive Institutional Education Program.

8 35 The department shall monitor the use of the classification
 9 1 model by the judicial district departments of correctional
 9 2 services and has the authority to override a district
 9 3 department's decision regarding classification of community-
 9 4 based clients. The department shall notify a district
 9 5 department of the reasons for the override.

Requires the DOC to monitor the CBC District Departments' use of the needs/risk assessment model and permits the DOC to override the District Departments' classification, upon notice to the District Departments.

9 6 2. For reimbursement of counties for temporary confinement
 9 7 of work release and parole violators, as provided in sections
 9 8 246.908, 901.7, and 906.17 and for offenders confined pursuant
 9 9 to section 246.513:
 9 10 \$ 241,875

General Fund appropriation to the DOC for the County Confinement account.

DETAIL: This is an increase of \$590 compared to the estimated net FY 1992 appropriation.

9 11 3. For federal prison reimbursement, reimbursements for
 9 12 out-of-state placements, and miscellaneous contracts:
 9 13 \$ 348,300

General Fund appropriation to the DOC for the Federal Prisoners Contractual account.

DETAIL: This is an increase of \$849 compared to the estimated net FY 1992 appropriation.

Permits the DOC to reimburse both the Federal Bureau of Prisons and other states for confining Iowa inmates.

9 14 The department of corrections shall use funds appropriated
9 15 by this subsection to continue to contract for the services of
9 16 a Muslim imam.

Requires the DOC to contract for the services of a Muslim imam.

9 17 4. For salaries, support, maintenance, miscellaneous
9 18 purposes, and for not more than the following full-time
9 19 equivalent positions at the correctional training center at
9 20 Mt. Pleasant:

General Fund appropriation to the DOC for the Correctional Training Center.

9 21 \$ 361,988
9 22 FTEs 8.19

DETAIL: This is an increase of \$3,203 and a decrease of 0.03 FTE position compared to the estimated net FY 1992 appropriation due to:

- 1. Adding \$3,203 to current operations.
2. Deducting 0.03 FTE position which was eliminated by the FY 1992 RIF Plan.

9 23 5. For annual payment relating to the financial
9 24 arrangement for the construction of expansion in prison
9 25 capacity as provided in 1989 Iowa Acts, chapter 316, section
9 26 7, subsection 6:
9 27 \$ 625,860

General Fund appropriation to the DOC for the actual annual cost of the lease-purchase agreement authorized by the 1989 General Assembly (Phase I). Maintains current level of funding.

9 28 6. For annual payment relating to the financial
9 29 arrangement for the construction of expansion in prison
9 30 capacity as provided in 1990 Iowa Acts, chapter 1257, section
9 31 24:
9 32 \$ 3,169,163

General Fund appropriation to the DOC for the actual FY 1993 cost of the lease-purchase agreement authorized by the 1990 General Assembly (Phase II).

DETAIL: This is an increase of \$25,913 compared to the estimated net FY 1992 appropriation.

9 33 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
9 34 SERVICES.

9 35 1. There is appropriated from the general fund of the
10 1 state to the department of corrections for the fiscal year
10 2 beginning July 1, 1992, and ending June 30, 1993, the
10 3 following amounts, or so much thereof as is necessary, to be
10 4 allocated as follows:

PG LN	Senate File 2348	Explanation
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10 5 a. For the first judicial district department of
 10 6 correctional services, the following amount, or so much
 10 7 thereof as is necessary:
 10 8 \$ 5,525,572

General Fund appropriation to the DOC for the First
CBC District Department.

DETAIL: This is an increase of \$249,989 and 3.55 FTE
 positions compared to the estimated net FY 1992
 appropriation due to:

1. Adding \$298,487 and 3.55 FTE positions to
 operate 30 new beds.
2. Deducting \$86,839 for the FY 1992 one-time costs
 of opening the West Union facility.
3. Adding \$4,207 for the Operating While
 Intoxicated (OWI) Program.
4. Adding \$34,135 for a job training program.

10 9 (1) The district department shall continue the intensive
 10 10 supervision program established within the district in 1988
 10 11 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph
 10 12 a, and the sex offender treatment program established within
 10 13 the district in 1989 Iowa Acts, chapter 316, section 8,
 10 14 subsection 1, paragraph a.

Requires the District Department to continue the
 Intensive Supervision Program (ISP) and a sex
 offender treatment program and to cooperate with the
 Chief Judge of the First Judicial District to
 implement a plan to divert low-risk offenders to the
 least restrictive sanction available.

10 15 (2) The district department, in cooperation with the chief
 10 16 judge of the judicial district, shall continue the
 10 17 implementation of a plan to divert low-risk offenders to the
 10 18 least restrictive sanction available.

10 19 b. For the second judicial district department of
 10 20 correctional services, including the treatment and supervision
 10 21 of probation and parole violators who have been released from
 10 22 the department of corrections violator program, the following
 10 23 amount, or so much thereof as is necessary:
 10 24 \$ 4,279,499

General Fund appropriation to the DOC for the Second
CBC District Department.

DETAIL: This is an increase of \$558,522 and 11.50
 FTE positions compared to the estimated net FY 1992
 appropriation due to:

1. Deducting \$75,685 for the FY 1992 one-time costs
 of opening the new Mason City facility.
2. Adding \$512,460 and 11.50 FTE positions to
 operate a net gain of 33 new beds.

10 25 (1) The district department shall continue the sex
 10 26 offender treatment program established within the district in
 10 27 1988 Iowa Acts, chapter 1271, section 6, subsection 1,
 10 28 paragraph b.
 10 29 (2) The district department, in cooperation with the chief
 10 30 judge of the judicial district, shall continue the
 10 31 implementation of a plan to divert low-risk offenders to the
 10 32 least restrictive sanction available.

- 3. Adding \$5,806 for the OWI Program.
- 4. Adding \$115,942 for a violator relapse treatment program.

Requires the District Department to continue a sex offender treatment program and to cooperate with the Chief Judge of the Second Judicial District to implement a plan to divert low-risk offenders to the least restrictive sanction available.

10 33 c. For the third judicial district department of
 10 34 correctional services, the following amount, or so much
 10 55 thereof as is necessary:
 11 1 \$ 2,757,653

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$409,463 and 7.56 FTE positions compared to the estimated net FY 1992 appropriation due to:

- 1. Deducting \$57,209 for the FY 1992 one-time costs of opening the new Sheldon facility.
- 2. Adding \$424,209 and 7.56 FTE positions to operate 24 new beds.
- 3. Adding \$2,463 for the OWI Program.
- 4. Adding \$40,000 to pay for a lease-purchase agreement which was authorized during the 1990 Legislative Session.

11 2 (1) The district department shall continue the sex
 11 3 offender treatment program established within the district in
 11 4 1988 Iowa Acts, chapter 1271, section 6, subsection 1,
 11 5 paragraph c, and the intensive supervision program
 11 6 established within the district in 1990 Iowa Acts, chapter
 11 7 1268, section 6, subsection 3, paragraph d.
 11 8 (2) The district department, in cooperation with the chief

Requires the District Department to continue the ISP and a sex offender treatment program and to continue to cooperate with the Chief Judge of the Third Judicial District to implement a plan to divert low-risk offenders to the least restrictive sanction available.

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11 9 judge of the judicial district, shall continue the
11 10 implementation of a plan to divert low-risk offenders to the
11 11 least restrictive sanction available.

11 12 d. For the fourth judicial district department of
11 13 correctional services, the following amount, or so much
11 14 thereof as is necessary:
11 15 \$ 1,899,653

General Fund appropriation to the DOC for the Fourth
CBC District Department.

DETAIL: This is an increase of \$6,820 and no change
in FTE positions compared to the estimated net FY
1992 appropriation due to adding funds for the OWI
Program.

11 16 (1) The district department shall continue the sex
11 17 offender treatment program established within the district in
11 18 1988 Iowa Acts, chapter 1271, section 6, subsection 1,
11 19 paragraph d.

Requires the District Department to continue a sex
offender treatment program and to cooperate with the
Chief Judge of the Fourth Judicial District to
implement a plan to divert low-risk offenders to the
least restrictive sanction available.

11 20 (2) The district department, in cooperation with the chief
11 21 judge of the judicial district, shall continue the
11 22 implementation of a plan to divert low-risk offenders to the
11 23 least restrictive sanction available.

11 24 e. For the fifth judicial district department of
11 25 correctional services, the following amount, or so much
11 26 thereof as is necessary:
11 27 \$ 7,484,221

General Fund appropriation to the DOC for the Fifth
CBC District Department.

DETAIL: This is an increase of \$815,250 and 15.71
FTE positions compared to the estimated net FY 1992
appropriation due to:

- 1. Deducting \$286,000 for the FY 1992 one-time costs of opening the new Des Moines facility.
- 2. Adding \$956,605 and 15.71 FTE positions to operate 48 new beds.
- 3. Adding \$9,445 for the OWI Program.
- 4. Deducting \$4,000 budgeted for Auditor reimbursements.
- 5. Transferring \$33,863 from the Department of Education and adding \$19,597 for the LIFT-UP

Education Program. This Program was previously funded through the Joint Education Appropriations Subcommittee.

6. Adding \$85,741 for job training programs.

11 28 (1) The district department shall continue the intensive
 11 29 supervision program established within the district in 1988
 11 30 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph
 11 31 e, and shall continue to provide for the rental of
 11 32 electronic monitoring equipment.

Requires the District Department to continue the ISP and to provide for the rental of electronic monitoring equipment, and to cooperate with the Chief Judge of the Fifth Judicial District to implement a plan to divert low-risk offenders to the least restrictive sanction available.

11 33 (2) The district department, in cooperation with the chief
 11 34 judge of the judicial district, shall continue the
 11 35 implementation of a plan to divert low-risk offenders to the
 12 1 least restrictive sanction available.

12 2 f. For the sixth judicial district department of
 12 3 correctional services, the following amount, or so much
 12 4 thereof as is necessary:
 12 5 \$ 5,531,365

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$345,687 and 6.31 FTE positions compared to the estimated net FY 1992 appropriation due to:

1. Deducting \$130,946 for the FY 1992 one-time costs of opening the new Coralville facility.
2. Adding \$449,404 and 6.31 FTE positions to operate 22 new beds.
3. Adding \$27,230 for a job training program.

12 6 (1) The district department shall continue the intensive
 12 7 supervision program established within the district in 1988
 12 8 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph
 12 9 f, and the sex offender treatment program established within
 12 10 the district in 1989 Iowa Acts, chapter 316, section 8,
 12 11 subsection 1, paragraph f.

Requires the District Department to continue the ISP and a sex offender treatment program, and to cooperate with the Chief Judge of the Sixth Judicial District to implement a plan to divert low-risk offenders to the least restrictive sanction available.

12 12 (2) The district department, in cooperation with the chief
 12 13 judge of the judicial district, shall continue the
 12 14 implementation of a plan to divert low-risk offenders to the

12 15 least restrictive sanction available.

12 16 g. For the seventh judicial district department of
12 17 correctional services, including the treatment and supervision
12 18 of probation and parole violators who have been released from
12 19 the department of corrections violator program, the following
12 20 amount, or so much thereof as is necessary:
12 21 \$ 3,913,737

General Fund appropriation to the DOC for the Seventh
CBC District Department.

DETAIL: This is an increase of \$256,699 and 2.51 FTE
positions compared to the estimated net FY 1992
appropriation due to:

1. Deducting \$62,852 for the FY 1992 one-time costs of opening 20 new beds in Davenport.
2. Adding \$200,080 and 2.51 FTE positions to operate 20 new beds.
3. Adding \$3,528 for the OWI Program.
4. Adding \$115,942 for a violator relapse treatment program.

12 22 (1) The district department shall continue the intensive
12 23 supervision program established within the district in 1988
12 24 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph
12 25 g, and shall continue the sex offender treatment program
12 26 established within the district in 1989 Iowa Acts, chapter
12 27 316, section 8, subsection 1, paragraph g.
12 28 (2) The district department shall continue the job
12 29 development program established within the district in 1990
12 30 Iowa Acts, chapter 1268, section 6, subsection 7, paragraph
12 31 e.
12 32 (3) The district department, in cooperation with the chief
12 33 judge of the judicial district, shall continue the
12 34 implementation of a plan to divert low-risk offenders to the
12 35 least restrictive sanction available.

Requires the District Department to continue the ISP
and a sex offender treatment program, a job
development program, and to cooperate with the Chief
Judge of the Seventh Judicial District to implement a
plan to divert low-risk offenders to the least
restrictive sanction available.

13 1 h. For the eighth judicial district department of
13 2 correctional services, including the treatment and supervision
13 3 of probation and parole violators who have been released from
13 4 the department of corrections violator program, the following
13 5 amount, or so much thereof as is necessary:

General Fund appropriation to the DOC for the Eighth
CBC District Department.

DETAIL: This is an increase of \$399,417 and 6.42 FTE
positions compared to the estimated net FY 1992

13 6 \$ 3,364,777

appropriation due to:

- 1. Deducting \$205,000 for the FY 1992 one-time costs of opening 20 new beds in Burlington.
- 2. Adding \$485,375 and 6.42 FTE positions to operate 20 new beds.
- 3. Adding \$4,000 for the OWI Program.
- 4. Deducting \$900 budgeted for Auditor reimbursements.
- 5. Adding \$115,942 for a violator relapse treatment program.

13 7 1) The district department shall continue the intensive
 13 8 supervision program established within the district in 1988
 13 9 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph
 13 10 h, and shall continue the sex offender treatment program
 13 11 established within the district in 1989 Iowa Acts, chapter
 13 12 316, section 8, subsection 1, paragraph h.

Requires the District Department to continue the ISP and a sex offender treatment program, and to cooperate with the Chief Judge of the Eighth Judicial District to implement a plan to divert low-risk offenders to the least restrictive sanction available.

13 13 (2) The district department, in cooperation with the chief
 13 14 judge of the judicial district, shall continue the
 13 15 implementation of a plan to divert low-risk offenders to the
 13 16 least restrictive sanction available.

13 17 i. For the department of corrections for the assistance
 13 18 and support of each judicial district department of
 13 19 correctional services, the following amount, or so much
 13 20 thereof as is necessary:
 13 21 \$ 88,098

General Fund appropriation to the DOC for the CBC Statewide account. Maintains current level of funding.

13 22 2. The department of corrections shall continue the OWI
 13 23 facilities established in 1986 Iowa Acts, chapter 1246,
 13 24 section 402, in compliance with the conditions specified in
 13 25 that section.

Requires the DOC to maintain the OWI facilities.

13 26 3. The department of corrections shall continue to
 13 27 contract with a judicial district department of correctional
 13 28 services to provide for the rental of electronic monitoring

Requires the DOC to continue to contract with a CBC District Department to provide a statewide electronic monitoring system.

13 29 equipment which shall be available statewide.

13 30 4. Each judicial district department of correctional
13 31 services and the department of correctidns shall continue the
13 32 treatment alternatives to street crime programs established in
13 33 1989 Iowa Acts, chapter 225, section 9.

Requires all CBC District Departments and the DOC to continue the Treatment Alternatives to Street Crimes (TASC) Program.

13 34 5. The first, sixth, and eighth judicial district
13 35 departments of correctional services and the department of
14 1 corrections shall continue the job training and development
14 2 grant programs established in 1989 Iowa Acts, chapter 316,
14 3 section 7, subsection 2.

Requires the First, Sixth, and Eighth CBC District Departments and the DOC to continue the job training and development grant programs established during the 1989 Legislative Session.

14 4 6. The department of corrections shall not make an
14 5 intradepartmental transfer of moneys appropriated to the
14 6 department, unless notice of the intradepartmental transfer is
14 7 given prior to its effective date to the legislative fiscal
14 8 bureau. The notice shall include Information on the
14 9 department's rationale for making the transfer and details
14 10 concerning the work load and performance measures upon which
14 11 the transfers are based.

Requires the DOC to notify the LFB prior to any intradepartmental transfer of funds.

14 12 7. The governor's alliance on substance abuse shall
14 13 consider federal grants made to the department of corrections
14 14 for the benefit of each of the eight judicial district
14 15 departments of correctional services as local government
14 16 grants, as defined pursuant to federal regulations.

Requires the GASA to consider grants made to the DOC for the benefit of the CBC District Departments to be local government grants.

14 17 Sec. 7. JUDICIAL DEPARTMENT. There is appropriated from
14 18 the general fund of the state to the judicial department for
14 19 the fiscal year beginning July 1, 1992, and ending June 30,
14 20 1993, the following amounts, or *so* much thereof as is
14 21 necessary, to be used for the purposes designated:

14 22 1. For salaries of supreme court justices, appellate court
14 23 judges, district court judges, district associate judges,
14 24 judicial magistrates and staff, state court administrator,

General Fund appropriation to the Judicial Department for its operating budget.

4 25 clerk of the supreme court, district court administrators,
 4 26 clerks of the district court, including fully compensating
 4 27 clerks of the district court, trial court supervisors, trial
 4 28 court technicians II, and financial supervisors I and II for
 4 29 the full 40-hour workweek, juvenile court officers, board of
 4 30 law examiners and board of examiners of shorthand reporters
 4 31 and judicial qualifications commission, receipt and
 4 32 disbursement of child support payments, reimbursement of the
 4 33 auditor of state for expenses incurred in completing audits of
 4 34 the offices of the clerks of the district court during the
 4 35 fiscal year beginning July 1, 1992, and maintenance,
 5 1 equipment, and miscellaneous purposes:
 5 2 \$ 73,203,747

DETAIL: This is an increase of \$3,747 and no change in FTE positions compared to the estimated net FY 1992 appropriation due to:

1. Adding \$28,747 for the Friend of Court Child Support Program.
2. Deducting \$25,000 and maintaining the requirement that supervisory staff in the clerks' of court offices be compensated for a 40-hour work week.

NOTE: Two additional appropriations were made to the Judicial Department in HF 2452 (Juvenile Justice Bill).

1. Section 1 of that bill appropriates \$3,990,000 for payment of the expenses of court-ordered services provided to juveniles which are charged to the State. This had previously been funded through the DHS.
2. Section 6 of that bill appropriates \$75,000 for a grant to a model program in Sioux City to provide a summer work and learn alternative for inner city youth.

5 3 a. The judicial' department, except for purposes of
 5 4 internal processing, shall use the current state budget
 5 5 system, the state payroll system, and the Iowa finance and
 5 6 accounting system in administration of programs and payments
 5 7 for services, and shall not duplicate the state payroll,
 5 8 accounting, and budgeting systems.

Prohibits the Judicial Department from duplicating current state payroll, budgeting, and accounting systems, except for the implementation of an internal accounting and recordkeeping system.

5 9 b. The judicial department shall submit monthly financial
 5 10 statements to the legislative fiscal bureau and the department
 5 11 of management containing all appropriated accounts in the same
 5 12 manner as provided in the monthly financial status reports and
 15 13 personal services usage reports of the department of revenue

Requires the Judicial Department to submit monthly financial statements on all appropriated accounts to the LFB and the DOM.

15 14 and finance. The monthly financial statements shall include a
15 15 comparison of the dollars and percentage spent of budgeted
15 16 versus actual revenues and expenditures on a cumulative basis
15 17 for full-time equivalent positions and dollars.

15 18 c. It is the intent of the general assembly that counties
15 19 installing new telephone systems shall provide those systems
15 20 to all judicial department offices within the county at no
15 21 cost.

Requires counties which install new telephone systems to provide those systems to all Judicial Department offices within the county at no cost.

FISCAL IMPACT: This will require Polk and Scott counties to provide phone systems for Judicial Department offices in those counties free of costs. The Department's projected cost for these systems is \$38,000.

15 22 d. Of the funds appropriated in this subsection, not more
15 23 than \$1,800,000 may be transferred into the revolving fund
15 24 established pursuant to section 602.1302, subsection 3, to be
15 25 used for the payment of jury and witness fees and mileage.

Permits a maximum of \$1,800,000 to be transferred into the Jury and Witness Fee Revolving Fund for jury and witness fees and mileage.

15 26 2. For the juvenile victim restitution program:
15 27 \$ 100,000

General Fund appropriation to the Judicial Department for the Juvenile Victim Restitution Program. Maintains current level of funding.

15 28 [3. For the implementation of the pilot program for
15 29 mandatory mediation of contested issues of child custody and
15 30 visitation established in this Act:
15 31 \$ 100,000]

VETOED

General Fund appropriation for a Child Custody Pilot Project.

DETAIL: This is new funding. This Act contains the statutory requirements to implement a Child Custody Pilot Project. (See Sections 18, 19, 25, and 26).

VETOED: The Governor vetoed this section stating that the State has received a Federal Family Support Act grant to study issues such as mediation, family counseling, and visitations. The Governor believes the State "should review the results of this study before establishing a new program."

15 32 **Sec. 8. IOWA COURT INFORMATION SYSTEM.** There is
 15 33 appropriated from the general fund of the state to the
 15 34 judicial department for the fiscal year beginning July 1,
 15 35 1992, and ending June 30, 1993, the following amount, or so
 16 1 much thereof as is necessary, to be used for the purpose
 16 2 designated:

16 3 For the Iowa court information system:
 16 4 \$ 875,000

General Fund appropriation to the Judicial Department
 for the Iowa Court Information System (ICIS).
 Maintains current level of funding.

16 5 a. The judicial department shall not change the
 16 6 appropriations from the amounts appropriated under this
 16 7 section, unless notice of the revisions is given prior to
 16 8 their effective date to the legislative fiscal bureau. The
 16 9 notice shall include information on the department's rationale
 16 10 for making the changes and details concerning the work load
 16 11 and performance measures upon which the changes are based.

Requires the Judicial Department to notify the LFB
 prior to any intradepartmental transfer of funds.

16 12 b. The judicial department shall provide a report
 16 13 semiannually to the co-chairpersons and ranking members of the
 16 14 joint justice system appropriations subcommittee and the
 16 15 legislative fiscal bureau specifying the amounts of fines,
 16 16 surcharges, and court costs collected using the Iowa court
 16 17 information system. The report shall demonstrate and specify
 16 18 how the Iowa court information system is used to improve the
 16 19 collection process. The report shall also compare fines,
 16 20 surcharges, and court costs collected in selected counties
 16 21 which are using an automated system versus at least three
 16 22 counties which are not using an automated system.

Requires the Judicial Department to provide a report
 semiannually to the Co-Chairpersons and Ranking
 Members of the Justice System Appropriations
 Subcommittee and the LFB, regarding the amount of
 fines, surcharges, and court costs collected using
 the ICIS versus a manual collection system.

16 23 **Sec. 9. AUTOMATED DATA SYSTEM.** The department of
 16 24 corrections, judicial district departments of correctional
 16 25 services, board of parole, and the judicial department shall
 16 26 continue to develop an automated data system for use in the
 16 27 sharing of information between the department of corrections,
 16 28 judicial district departments of correctional services, board
 16 29 of parole, and the judicial department. The information to be

Requires the DOC, the CBC District Departments, the
 Parole Board, and Judicial Department to develop an
 automated data system *to* share information.

16 30 shared shall concern any individual who may, as the result of
 16 31 an arrest or infraction of any law, be subject to the
 16 32 jurisdiction of the department of corrections, judicial
 16 33 district departments of correctional services, or board of
 16 34 parole.

16 35 Sec. 10. PLACEMENTS FOR ELDERLY OR INFIRM INMATES. The
 17 1 department of corrections, department of public health,
 17 2 department of human services, department of elder affairs, and
 17 3 department of inspections and appeals shall cooperate in
 17 4 developing community-based placements for elderly or infirm
 17 5 inmates who, by nature of their medical and criminal
 17 6 histories, are deemed to be low-risk for committing future
 17 7 public offenses. Community-based placements may include, but
 17 8 are not limited to, county care facilities, retirement homes,
 17 9 or veterans homes. The departments shall consider the
 17 10 potential for these community-based placement facilities to
 17 11 obtain federal funds for providing services to these inmates.
 17 12 The department of corrections shall develop a parole plan for
 17 13 these inmates once a community-based placement has been
 17 14 developed.

17 15 Sec. 11. NEW SECTION. 2.12A LEGAL EXPENSES REVIEWED BY
 17 16 THE COURT.

17 17 If a member or members of the general assembly are involved
 17 18 in court proceedings on behalf of the general assembly, and
 17 19 are represented by an attorney who is not an employee of the
 17 20 state, and the legislative council determines that the
 17 21 reasonable expense of the court proceedings, including
 17 22 reasonable attorneys' fees, shall be paid from funds in the
 17 23 state treasury appropriated pursuant to section 2.12, at the
 17 24 conclusion of the court proceedings, the court shall review
 17 25 the fees charged to the state to determine if the fees are
 17 26 fair and reasonable. The legislative council shall not
 17 27 reimburse attorneys' fees in excess of those determined by the
 17 28 court to be fair and reasonable.

Requires the DOC, and the Departments of Public Health, Human Services, Elder Affairs, and Inspections and Appeals to cooperate in developing community placements for elderly or infirm inmates. These inmates, for which community placement is being sought, are those who are deemed to be of low-risk of committing future crimes due to their medical condition or criminal history. The Departments are to consider the potential for community facilities to obtain federal funds for providing services for these inmates. The DOC is required to develop a parole plan for these inmates once a community placement has been developed.

CODE: Requires the court to review the fees charged by outside counsel, if outside counsel is retained by a member or members of the General Assembly who are proceeding on behalf of the General Assembly. Prohibits the Legislative Council from reimbursing outside counsel's fees in excess of those determined by the court to be fair and reasonable.

7 29 Sec. 12. Section 13.3, Code 1991, is amended to read as
 7 30 follows:
 7 31 13.3 DISQUALIFICATION -- SUBSTITUTE.
 7 32 1. If, for any reason, the attorney general be
 7 33 disqualified from appearing in any action or proceeding, the
 7 34 executive council shall appoint some suitable person for that
 7 35 purpose and defray the reasonable expense thereof from any
 3 1 unappropriated funds in the state treasury. The department
 3 2 involved in the action or proceeding shall be requested to
 3 3 recommend a suitable person to represent ~~it~~ the department and
 3 4 when the executive council concurs in the recommendation, the
 3 5 person recommended shall be appointed.
 3 6 2. If the governor or a department is represented by an
 3 7 attorney other than the attorney general in a court proceeding
 3 8 as provided in this section, at the conclusion of the court
 3 9 proceedings, the court shall review the fees charged to the
 3 10 state to determine if the fees are fair and reasonable. The
 8 11 executive council shall not reimburse attorneys' fees in
 8 12 excess of those determined by the court to be fair and
 8 13 reasonable.

CODE: Requires the court to review the fees charged by outside counsel, if outside counsel is retained by the Governor or a State department. Prohibits the Executive Council from reimbursing outside counsel's fees in excess of those determined by the court to be fair and reasonable.

8 14 [Sec. 13. Section 13.25, Code 1991, is amended to read as
 8 15 follows:
 8 16 13.25 REPEAL OF FARM MEDIATION AND LEGAL ASSISTANCE
 8 17 PROVISIONS.
 8 18 This subchapter is repealed on July 1, \$993 ~~1995~~

VETOED

CODE: Extends the sunset on the Farm Mediation and Farm Legal Assistance Programs from July 1, 1993 to July 1, 1995.

VETOED: The Governor vetoed this section stating that these Programs were established due to the 1980's farm crisis and that the Programs should be reviewed annually.

8 19 [Sec. 14. Section 218.94, Code 1991, is amended to read as
 8 20 follows:
 8 21 218.94 DIRECTOR MAY BUY AND SELL REAL ESTATE -- OPTIONS.
 8 22 1. The director of the department of human services shall
 8 23 ~~have~~ full power to secure options to purchase real estate, to
 8 24 acquire and sell real estate, and to grant utility easements,
 8 25 for the proper uses of ~~said the~~ institutions, except as

VETOED

CODE: Defines the term "farmland". Requires the General Assembly to approve the sale of farmland prior to the DHS Director's selling an interest in farmland. The approval is to be granted by passage of a joint resolution by the General Assembly.

VETOED: The Governor vetoed this section stating

18 26 otherwise provided in subsection 3. Real estate shall be
 18 27 acquired and sold and utility easements granted, upon such
 18 28 terms and conditions as the director may determine, except
 18 29 that the sale of farmland shall be subject to approval by the
 18 30 general assembly as provided in subsection 3. Upon sale of
 18 31 the real estate, the proceeds shall be deposited with the
 18 32 treasurer of state and credited to the general fund of the
 18 33 state. There is hereby appropriated from the general fund of
 18 34 the state a sum equal to the proceeds ~~so~~ deposited and
 18 35 credited to the general fund of the state to the department of
 19 1 human services, which may be used to purchase other real
 19 2 estate or for capital improvements upon property under the
 19 3 director's control.

19 4 2. The costs incident to securing of options, acquisition
 19 5 and sale of real estate and granting of utility easements,
 19 6 including, but not limited to, appraisals, invitations for
 19 7 offers, abstracts, and other necessary costs, may be paid from
 19 8 moneys appropriated for support and maintenance to the
 19 9 institution at which such real estate is located. Such fund
 19 10 shall be reimbursed from the proceeds of the sale.

19 11 3. a. As used in this section, unless the context
 19 12 otherwise requires, farmland means land suitable for
 19 13 agricultural purposes.

19 14 b. Notwithstanding any other provisions of law to the
 19 15 contrary, and in addition to any other restrictions that may
 19 16 be imposed, the director shall not sell an interest in
 19 17 farmland unless the general assembly has approved the sale.
 19 18 Approval by the general assembly shall be obtained by passage
 19 19 of a joint resolution.]

19 20 [Sec. 15. Section 246.317, Code 1991, is amended to read as **VETOED**
 19 21 follows:

19 22 **246.317 DIRECTOR MAY BUY AND SELL REAL ESTATE -- OPTIONS.**

19 23 1. The director, subject to the approval of the board and
 19 24 the requirements of subsection 3, may secure options to
 19 25 purchase real estate and acquire and ~~sell~~ real estate for the
 19 26 proper uses of the institutions. Real estate shall be

that the DHS should retain the authority to dispose
 of real property under its control.

CODE: Defines the term "farmland". Requires the
 General Assembly to approve the sale of farmland
 prior to the DOC Director selling an interest in
 farmland. The approval is to be granted by passage
 of a joint resolution by the General Assembly.

VETOED: The Governor vetoed this section stating

19 27 acquired and sold upon terms and conditions the director
 19 28 recommends subject to the approval of the board, except that
 19 29 the sale of farmland shall be subject to approval by the
 19 30 general assembly as provided in subsection 3. Upon sale of
 19 31 the real estate, the proceeds shall be deposited with the
 19 32 treasurer of state and credited to the general fund of the
 19 33 state. There is appropriated from the general fund of the
 19 34 state to the department a sum equal to the proceeds *so*
 19 35 deposited and credited to the general fund of the state which
 20 1 may be used to purchase other real estate or for capital
 20 2 improvements upon property under the director's supervision
 20 3 2. The costs incident to the securing of options and
 20 4 acquisition and sale of real estate including, but not limited
 20 5 to, appraisals, invitations for offers, abstracts, and other
 20 6 necessary costs, may be paid from moneys appropriated for
 20 7 support and maintenance to the institution at which the real
 20 8 estate is located. The fund shall be reimbursed from the
 20 9 proceeds of the sale.
 20 10 3. a. As used in this section, unless the context
 20 11 otherwise requires, farmland means land suitable for
 20 12 agricultural purposes.
 20 13 b. Notwithstanding any other provisions to the contrary,
 20 14 and in addition to any other restrictions that may be imposed,
 20 15 the director shall not sell an interest in farmland unless the
 20 16 general assembly has approved the sale. Approval by the
 20 17 general assembly shall be obtained by passage of a joint
 20 18 resolution.]

that the DOC should retain the authority to dispose of real property under its control.

20 19 [**Sec. 16. Section 246.706**, unnumbered paragraph 1, Code
 20 20 Supplement 1991, is amended to read as follows:
 20 21 A revolving farm fund is created in the state treasury in
 20 22 which the department shall deposit receipts from agricultural
 20 23 products, nursery stock, agricultural land rentals, and the
 20 24 sale of livestock. However, before any agricultural operation
 20 25 is phased out, the department which proposes to discontinue
 20 26 this operation shall notify the governor, chairpersons and
 20 27 ranking members of the house and senate appropriations

VETOED

CODE: Requires the General Assembly to approve the sale of DOC or DHS farmland prior to the sale of the land.

VETOED: The Governor vetoed this section stating that the DOC and the DHS should retain the authority to dispose of real property under their control.

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20 28 committees, and cochairpersons and ranking members of the
 20 29 subcommittee in the senate and house of representatives which
 20 30 has handled the appropriation for this department in the past
 20 31 session of the general assembly. Before the department sells
 20 32 farmland under the control of the department, the director
 20 33 shall notify the governor, chairpersons and ranking members of
 20 34 the house and senate appropriations committees, and
 20 35 cochairpersons and ranking members of the joint appropriations
 21 1 subcommittee that handled the appropriation for the department
 21 2 during the past session of the general assembly, and obtain
 21 3 approval of the general assembly as required in section
 21 4 218.94, subsection 3, or section 246.317, subsection 3. The
 21 5 department may pay from the fund for the operation,
 21 6 maintenance, and improvement of farms and agricultural or
 21 7 nursery property under the control of the department. A
 21 8 purchase order for five thousand dollars or less payable from
 21 9 the fund is exempt from the general purchasing requirements of
 21 10 chapter 18. Notwithstanding section 8.33, unencumbered or
 21 11 unobligated receipts in the revolving farm fund at the end of
 21 12 a fiscal year shall not revert to the general fund of the
 21 13 state.]

21 14 **Sec. 17.** Section 261.2, Code 1991, is amended by adding
 21 15 the following new subsection:
 21 16 NEW SUBSECTION. 15. Develop and implement, in cooperation
 21 17 with the judicial district departments of correctional
 21 18 services and the department of corrections, a program to
 21 19 assist criminal offenders in applying for federal and state
 21 20 aid available for higher education.

21 21 [**Sec. 18.** Section 598.41, subsection 2, unnumbered
 21 22 paragraph 2, Code 1991, is amended to read as follows:
 21 23 The court may order the costs of custody mediation
 21 24 counseling ~~shall to be paid~~ in full or in part by the parties
 21 25 and taxed as court costs.]

CODE: Requires the College Student Aid Commission to develop and implement, in cooperation with the CBC District Departments and the DOC, a program to assist offenders in applying for State and federal higher education aid.

VETOED

CODE: Permits the court to order the cost of custody mediation counseling to be paid in full or in part by the parties and taxed as court costs.

VETOED: The Governor vetoed this section stating that the State has received a Federal Family Support Act grant to study issues such as mediation, family

21 26 [Sec. 19. NEW SECTION. 598.43 MEDIATION OF CHILD CUSTODY
 21 27 AND VISITATION DISPUTES.

VETOED

21 28 1. In addition to joint custody mediation which may be
 21 29 ordered pursuant to section 598.41, subsection 2, in a
 21 30 proceeding under this chapter involving either a temporary or
 21 31 permanent child custody or visitation determination, the court
 21 32 may order mediation to be conducted by either a juvenile court
 21 33 officer or a private mediator.

21 34 The supreme court shall prescribe rules establishing
 21 35 procedures to be used in mediation proceedings under this
 22 1 section.

22 2 2. The court shall not require mediation if one or more of
 22 3 the following conditions exist:

22 4 a. The court determines that there is no reasonable
 22 5 possibility that mediation will promote settlement of the
 22 6 issues in dispute.

22 7 b. The court determines there is a substantial allegation
 22 8 of direct physical or significant emotional harm to a party or
 22 9 to a child.

22 10 c. The court determines that mediation will otherwise fail
 22 11 to serve the best interests of the child.

22 12 d. The court determines that a verified petition alleging
 22 13 domestic abuse has been filed by a party pursuant to chapter
 22 14 236.

22 15 e. The court determines that a child in need of assistance
 22 16 petition has been filed pursuant to chapter 232, division III,
 22 17 concerning a child for whom a custody or visitation
 22 18 determination is necessary.

22 19 If the court determines that mediation is inappropriate
 22 20 pursuant to this subsection, the court shall state its find-
 22 21 ings and conclusions in writing.

22 22 3. All mediation proceedings shall be held in private and
 22 23 shall be confidential. All verbal or written communications

counseling, and visitations. The Governor believes the State "should review the results of this study before establishing a new program."

CODE: Establishes a Child Custody Pilot Project for mediation of contested child custody or visitation cases.

VETOED: The Governor vetoed this section stating that the State has received a Federal Family Support Act grant to study issues such as mediation, family counseling, and visitations. The Governor believes the State "should review the results of this study before establishing a new program."

PG LN

Senate File 2348

Explanation

22 24 from either or both parties to the mediator or between the
 22 25 parties in the presence of the mediator in a proceeding under
 22 26 this section are absolutely privileged and inadmissible in
 22 27 court, except that there shall be no privilege as to
 22 28 communications made in furtherance of a crime or fraud, and no
 22 29 grant of immunity from criminal conduct shall be inferred from
 22 30 the confidentiality established in this section. **3**

22 31 Sec. 20. Section 602.8105, subsection 1, paragraph a, Code
 22 32 Supplement 1991, is amended to read as follows:

22 33 a. For filing and docketing a petition other than for
 22 34 modification of a dissolution decree to which a written
 22 35 stipulation is attached at the time of filing containing the
 23 1 agreement of the parties to the terms of the modification, or
 23 2 an appeal or writ of error, fifty dollars. The fee shall be
 23 3 deposited in the court revenue distribution account
 23 4 established under section 602.8108, and shall be paid into the
 23 5 state treasury. Of the amount paid to the state treasury, one
 23 6 dollar shall be deposited in the judicial retirement fund
 23 7 established in section 602.9104 to be used to pay retirement
 23 8 benefits of the judicial retirement system, and the remainder
 23 9 shall be deposited in the general fund of the state. In
 23 10 counties having a population of ~~one-hundred~~ ninety-eight
 23 11 thousand or over, an additional ~~five~~ three dollars shall be
 23 12 charged and collected, to be known as the journal publication
 23 13 fee and used for the purposes provided for in section 618.13.

CODE: Requires counties with at least a population of 98,000 to collect a \$3.00 journal publication fee, if a majority of the judges in the judicial district direct that the docket be published.

23 14 Sec. 21. Section 618.13, Code 1991, is amended to read as
 23 15 follows:

23 16 618.13 PUBLICATION ~~OF~~ DOCKET IN CERTAIN COUNTIES.
 23 17 When the petition provided for in rule of civil procedure
 23 18 70 is filed with the clerk of the district court in a county
 23 19 of ~~one-hundred~~ ninety-eight thousand population or over, the
 23 20 names of the parties plaintiff and defendant in such action,
 23 21 the description of the real estate involved, if any, except
 23 22 for quieting title, partition, and suits involving tax
 23 23 assessments, and the names of the attorneys for the plaintiff,

CODE: Requires counties with at least a population of 98,000 to publish information related to certain civil procedures, if a majority of the judges in the judicial district direct that the information be published.

23 24 and the docket number assigned to such case, may, in the event
 23 25 the majority of the judges of the **judiciary** district in which
 23 26 such county lies, *so* direct, be published once in a daily
 23 27 newspaper having a general circulation in said county; such
 23 28 paper to be designated by a majority of the judges of the
 23 29 district court. Provided, that whenever ~~thereafter~~ such case
 23 30 is assigned for trial or any other pleadings are filed
 23 31 therein, or court action taken with reference thereto, except
 23 32 general orders of court for continuations, the title of such
 23 33 case and kind of pleading shall be published, and if it is in
 23 34 an assignment for trial it shall be carried in printed
 23 35 assignment from day to day until final disposition.

24 1 [Sec. 22. Section 654A.17, Code 1991, is amended to read as
 24 2 follows:
 24 3 654A.17 REPEAL OF CHAPTER.
 24 4 This chapter is repealed on July 1, \$993 1995]

VETOED

CODE: Extends the sunset for the Farm Mediation Program from July 1, 1993 to July 1, 1995. This Chapter deals with credit disputes.

VETOED: The Governor vetoed this section stating that the Program was established due to the 1980's farm crisis and that the Program should be reviewed annually.

24 5 [Sec. 23. Section 654B.12, Code 1991, is amended to read as
 24 6 follows:
 24 7 6548.12 REPEAL OF CHAPTER.
 24 8 This chapter is repealed on July 1, \$993 1995]

VETOED

CODE: Extends the sunset for the Farm Mediation Program from July 1, 1993 to July 1, 1995. This Chapter deals with nuisance disputes in care and feeding contracts.

VETOED: The Governor vetoed this section stating that the Program was established due to the 1980's farm crisis and that the Program should be reviewed annually.

24 9 Sec. 24. Section 912.4, subsection 2, Code Supplement
 24 10 1991, is amended to read as follows:
 24 11 2. A person is not eligible for compensation unless ~~the~~
 24 12 crime was reported to the local police department or county
 24 13 sheriff department within seventy-two hours of its occurrence.

CODE: Permits the DOJ to waive, for good cause, the requirement that victims notify law enforcement personnel within 72 hours of a crime occurring. This expands eligibility for claims from the Victim Compensation Fund.

24 14 If the crime cannot reasonably be reported within that time
24 15 period, the crime shall have been reported within seventy-two
24 16 hours of the time a report can reasonably be made. The
24 17 department may waive this requirement if good cause is shown.

FISCAL IMPACT: The DOJ indicates this change may cost less than \$20,000 annually.

24 18 [Sec. 25. LEGISLATIVE FINDINGS. The general assembly finds
24 19 ~~that the~~ determination of child custody and visitation
24 20 arrangements in a dissolution of marriage is an issue of great
24 21 importance to the social and emotional welfare of the children
24 22 and parents involved and that mediation has proven to be a
24 23 less adversarial means of decision making regarding child
24 24 custody and visitation in a dissolution case. The general
24 25 assembly finds that a pilot program of mddiation relating to
24 26 the issues of child custody and visitation in dissolution
24 27 cases should be established under the supervision of the
24 28 supreme court.]

VETOED

States that the General Assembly finds that:

1. The determination of child custody and visitation arrangements in a divorce is an issue of great importance.
2. Mediation has proven to be a less adversarial means of decision-making regarding child custody and visitation.
3. A pilot program of mediation relating to the issues of child custody and visitation should be established under the supervision of the Supreme Court.

VETOED: The Governor vetoed this section stating that the State has received a Federal Family Support Act grant to study issues such as mediation, family counseling, and visitations. The Governor believes the State "should review the results of this study before establishing a new program."

24 29 [Sec. 26. PILOT PROGRAM FOR MEDIATION OF CHILD CUSTODY AND
24 30 VISITATION ISSUES IN DISSOLUTION CASES ESTABLISHED.

VETOED

24 31 1. The supreme court shall establish a pilot program for
24 32 mandatory mediation of child custody and visitation issues in
24 33 dissolution cases pursuant to chapter 598. However, mediation
24 34 shall not be mandatory and shall not be ordered if the
24 35 conditions set forth in section 598.43, subsection 2, apply.
25 1 The pilot program shall be established in Linn county for a
25 2 period of two years, beginning July 1, 1992, and ending June
25 3 30, 1994.
25 4 Proceedings under the program shall be conducted pursuant
25 5 to section 598.43 and the rules for mediation proceedings

This section:

1. Establishes a pilot program for mandatory mediation of child custody and visitation issues in Linn County.
2. Provides exemptions to mandated mediation.
3. Requires the Supreme Court to submit a report to the General Assembly by January 1, 1995. The report shall contain recommendations regarding the use of mediation in child custody and visitation disputes and shall evaluate the pilot project.

25 6 prescribed by the supreme court.
 25 7 2. The supreme court shall submit a report to the general
 25 8 assembly by January 1, 1995. The report shall contain recom-
 25 9 mendations regarding the use of mediation in child custody and
 25 10 visitation matters on a statewide basis in proceedings brought
 25 11 under chapter 598. The report shall also include an evalua-
 25 12 tion of the program as directed by the supreme court.
 25 13 3. In a proceeding under chapter 598 involving either a
 25 14 temporary or permanent child custody or visitation determina-
 25 15 tion, the court shall order mediation at no cost to the
 25 16 parties.
 25 17 4. Notwithstanding section 668A.1, subsection 2, paragraph
 25 18 b, Code 1991, the executive council shall disburse to the
 25 19 state court administrator up to \$50,000 for the fiscal year
 25 20 beginning July 1, 1992, and ending June 30, 1993, from the
 25 21 civil reparations trust fund to be used for the costs of
 25 22 participation in the pilot program by persons who are
 25 23 indigent.

25 24 Sec. 27. IOWA COURT INFORMATION SYSTEM STUDY. The
 25 25 legislative council is requested to establish an interim study
 25 26 committee to hire a consultant to provide a performance and
 25 27 systems analysis of the Iowa court information system. The
 25 28 interim study committee shall select the consultant in
 25 29 consultation with the judicial department. The consultant
 25 30 shall submit a report to the legislative council through the
 25 31 interim study committee, the judicial department, the co-
 25 32 chairpersons and ranking members of the joint justice system
 25 33 appropriations subcommittee, and the legislative fiscal bureau
 25 34 on or before December 10, 1992.

26 35 Sec. 28. EFFECTIVE DATE. Section 1, subsections 3 and 4,
 26 1 of this Act, relating to Iowa competition law or antitrust
 26 2 actions and to civil consumer fraud actions, being deemed of
 26 3 immediate importance, take effect upon enactment.

4. Requires the court to order mediation at no cost to the parties, under the Child Custody and Visitation Pilot Project.

CODE: Requires the Executive Council to reimburse up to \$50,000 to the Judicial Department for indigent participants involved in the pilot program. The funds are from the Civil Reparations Trust Fund.

VETOED: The Governor vetoed this section stating that the State has received a Federal Family Support Act grant to study issues such as mediation, family counseling, and visitations. The Governor believes the State "should review the results of this study before establishing a new program."

Requests that the Legislative Council establish an interim committee to hire a consultant to provide a performance and systems analysis of the ICIS. The Legislative Council shall consult with the Judicial Department prior to selecting a consultant. The Interim Committee shall report its findings by December 10, 1992.

Provides that provisions relating to the Anti-Trust Fund and Consumer Education Fund, take effect upon enactment.

**EXECUTIVE SUMMARY
REGULATION APPROPRIATIONS BILL**

HOUSE FILE 2455

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

• *All General Fund appropriations in this bill were reduced by 5.0% by SF 2393, the Second Extraordinary Session Bill, except the State Public Defender and the Indigent Defense Program, resulting in a total reduction of \$1.6 million from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*

-Decreases the Auditor of State by \$497,000 and 11.0 FTE positions for audits of **community** colleges and to remove a middle management position. Community colleges will be required to pay the full cost of future audits. (Page 1, Line 1)

-Requires **\$200,000** of the Administrative Contribution Surcharge (ACS) to be used for labor availability surveys and requires communities surveyed to pay 40.0% of the cost. (Page 3, Line 4)

• Shifts \$297,000 of the budget for the **Labor** Services Division of the **Department** of Employment Services (DES) to the Employment Security (Penalty and Interest) Fund (P & I Fund). (Page 4, Line 34)

• Shifts \$175,000 of the budget for the Industrial Services Division of DES to the P & I Fund. (Page 5, Line 3)

• Decreases the Foster **Care** Review **Board** (FCRB) by \$123,000 and 1.5 **FTE** positions by eliminating funding for the State Board. Full local reviews are funded for the Sixth Judicial District and limited local reviews are funded for the Eighth Judicial District. (Page 6, Line 32)

• Decreases the amount appropriated for indigent defense by **\$3.4** million. The **reduction** is to be achieved by increasing recoupment efforts, contracting with private attorneys at a **reduced rate**, and handling more **cases** utilizing the expanded **staff** of the Public Defender. (Page 8, Line 26)

• Increases the **Use Tax** appropriation to the Appeals and Fair **Hearings** Division of the **Department** of Inspections and Appeals (DIA) by \$195,000 to reflect a supplemental appropriation for salary adjustments for administrative law judges. (Page 8, Line 34)

• Decreases the appropriation to the Alcoholic Beverages Division (ABD) of **the Department** of **Commerce** by \$519,000 and 58.9 FTE positions due to **the use** of a private contractor to **perform** warehouse **and** delivery functions. (Page 9, Line 35)

**EXECUTIVE SUMMARY
REGULATION APPROPRIATIONS BILL**

HOUSE FILE 2455

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Adds \$79,000 and 3.3 FTE positions to the Racing and Gaming Commission to provide increased riverboat regulation. (Page 13, Line 16)
- Requires departments to reimburse the State Auditor for audit costs in proportion to the types of funding received. (Page 13, Line 35) *This item was vetoed by the Governor.*
- Eliminates the exemption for the State Auditor from the filing fee for audit reports. (Page 14, Line 13)
- *Transfers authority for real estate broker trust accounts from the DIA to the Real Estate Commission under the Professional Licensing Division of the Department of Commerce. (Page 16, Line 12 through Page 17, Line 34)
- Requires the ABD of the Department of Commerce to collect a surcharge on liquor bottles in an amount sufficient to cover the cost of collecting and disposing of liquor bottles properly. (Page 18, Line 1)
- Allows the DIA to inspect health care facilities every 15 months rather than annually. (Page 18, Line 22)
- Extends the sunset of the FCRB from July 1, 1992 to July 1, 1996. (Page 19, Line 21)
- Requires county attorneys to establish and implement recoupment and collection procedures for indigent defense costs. (Page 19, Line 26)

STUDIES AND INTENT LANGUAGE

- Requires the Industrial Services Division of DES to conduct a study to determine alternative sources of funding. (Page 4, Line 1)
- Requires the Supreme Court to review indigency criteria and procedures for reviewing attorney fee claim for indigent defense. (Page 26, Line 9)
- Creates a 2-year pilot project for prioritized contracting with private attorneys to provide indigent defense at a reduced rate. The pilot project is to occur in 6 counties determined by the Chief Justice of the Supreme Court. (Page 26, Line 15)

**EXECUTIVE SUMMARY
REGULATION APPROPRIATIONS BILL**

HOUSE FILE 2455

GOVERNOR'S VETOES

- Requires the Public Defender to submit a report evaluating the effectiveness of prioritized contracting for indigent defense. (Page 27, Line 11)
- The Governor vetoed intent language allowing the Auditor of State to expend additional funds and retain additional FTE positions if necessary for reimbursable audits stating that it would allow the Auditor to exceed the authorized spending level. (Page 1, Line 11)
- The Governor vetoed intent language requiring the DES to continue all Job Service Offices that are in operation on July 1, 1992, stating that it limits the Department's flexibility to provide services where they are most needed and most cost effective. (Page 3, Line 11)
- The Governor vetoed intent language requiring the Industrial Services Division of DES to maintain the frequency and location of the current hearing schedule for contested workers' compensation cases stating that it limits the flexibility of the Department to provide hearings in locations convenient to employers and injured workers. (Page 3, Line 18)
- The Governor vetoed intent language allowing the Banking and Credit Union Divisions of the Department of Commerce to expend additional funds and retain additional FTE positions if necessary to fulfill their regulatory duties, such as examinations, stating that the language allows the Divisions to bypass current hiring procedures. (Page 10, Line 12 and Page 11, Line 1)
- The Governor vetoed the Code of Iowa change requiring State departments and agencies to allocate audit costs based on percentage of funding source stating that the change would not allow departments and agencies to maximize sources of funds other than the General Fund. (Page 13, Line 34)
- The Governor vetoed the Code of Iowa change eliminating the sunset of the requirement that the Insurance Division of the Department of Commerce regulate rates for workers' compensation insurance, which allows a change to the same section in SF 2354 (Insurance Regulatory Bill), to extend the sunset to July 1, 1994. (Page 25, Line 23)

House File 2455 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
2	32	4	Nwthstnd	Sec. 96.7(12)(c)	ACS Fund
8	26	7.2	Nwthstnd	Sec. 232.141 and Chapter 815	Indigent Defense
13	28	14	Amends	Sec. 11.4(6)	State Auditor Printing Equipment
13	34	15	Adds	Sec. 11.58	State Auditor Reimbursements
14	6	16	Amends	Sec. 11.6(5) Code supplement 199	State Auditor Reviews
14	13	17	Repeals	Sec. 11.6(11) Code Supplement 199	State Auditor Filing Fee
14	15	18	Adds	Sec. 13B.4(5A) Code Supplement 199	Public Defender
14	22	19	Amends	Sec. 96.13(3) Code Supplement 199	Penalty & Interest Fund
16	8	20	Adds	Sec. 17.29(10)	Real Estate Broker and Agent Licenses
16	12	21	Amends	Sec. 17.34	Real Estate Broker and Agent Licenses
16	27	22	Amends	Sec. 17.46(3 & 5)	Real Estate Broker Trust Accounts
17	10	23	Adds	Sec. 17.46(6)	Real Estate Broker Trust Accounts
17	25	23	Adds	Sec. 17.46(7)	Real Estate Broker Trust Accounts
17	34	23	Adds	Sec. 17.46(8)	Real Estate Broker Trust Accounts
18	1	24	Adds	Sec. 23.24(5)	Liquor Bottle Surcharge
18	14	25	Adds	Sec. 23.53(4)	Liquor Fund Transfer
18	22	26	Amends	Sec. 135C.16(1)	Care Facility Inspections
19	5	27	Amends	Sec. 237.16	Foster Care Review Board
19	15	28	Amends	Sec. 237.18(5)	Foster Care Review Board
19	21	29	Amends	Sec. 237.23	Review Board Sunset Extended

Page #	Line #	Bill Section	Action	Code Section Changed	Description
19	26	30	Amends	Sec. 331.756(5)	County Attorneys
20	28	31	Adds	Sec. 331.756(64A & 64B)	Income Tax Offset
21	3	32	Amends	Sec. 421.17(25)	County Attorneys
				Code Supplement 1991	
22	32	33	Amends	Sec. 421.17(26)	Income Tax Offset
				Code Supplement 1991	
23	13	34	Amends	Sec. 455C.2(1)	Liquor Bottle Deposits
				Code Supplement 1991	
23	27	35	Amends	Sec. 455C.3(5)	Liquor Bottle Disposal
				Code Supplement 1991	
24	1	36	Amends	Sec. 910.2	Indigent Defense Restitution
25	2	37	Adds	Sec. 910.7A	Judgment Enforcement
25	15	39	Repeals	Sec. 35 & 36, Chapter 272 1989 Iowa Acts	Liquor Bottle Deposits
25	17	40	Amends	Sec. 42, Chapter 272 1989 Iowa Acts	Alcoholic Beverage Division
25	23	41	Repeals	Sec. 76, Chapter 1234 1990 Iowa Acts	Sunset of Worker's Compensation Regulation
25	26	42	Amends	Sec. 404.2, Chapter 268 1991 Iowa Acts	Non-Reversion of Funds

1 1 Section 1. AUDITOR OF STATE. There is appropriated from
 1 2 the general fund of the state to the office of the auditor of
 1 3 state for the fiscal year beginning July 1, 1992, and ending
 1 4 June 30, 1993, the following amount, or *so* much thereof as is
 1 5 necessary, to be used for the purposes designated:
 1 6 For salaries, support, maintenance, miscellaneous purposes,
 1 7 and for not more than the following full-time equivalent
 1 8 positions:
 1 9 \$ 1,037,678
 1 10 FTEs 109.78

General Fund appropriation to the Auditor of State.

DETAIL: This is a decrease of \$497,405 and 11.00 FTE positions compared to the estimated net FY 1992 appropriation. This decrease results from the following items:

1. A reduction of \$50,000 and 1.00 FTE position for removal of a middle management position in the Administration Division.
2. A reduction of \$447,405 and 10.00 FTE positions for audits of 10 community colleges (merged area schools).

The Auditor of State will be allowed to audit community colleges, but those audits will no longer be subsidized by the General Fund. Community colleges will be billed for the entire cost of future audits.

1 11 [The auditor of state may expend additional moneys and
 1 12 retain additional full-time equivalent positions as is
 1 13 reasonable and necessary to perform audits, including audits
 1 14 for local governments, if the amount expended is proportional
 1 15 to the costs that are reimbursable from the entity being
 1 16 audited, including but not limited to expenses reimbursable
 1 17 pursuant to section 11.5A, 11.5B, 11.20, or 11.21. The
 1 18 auditor of state shall notify the legislative fiscal committee
 1 19 and the legislative fiscal bureau at the time the additional
 1 20 funds are requested.]

VETOED

Permits the State Auditor to add additional staff and expend additional funds to conduct reimbursable audits. Requires notification of the Legislative Fiscal Committee and the Legislative Fiscal Bureau (LFB) when the funds are requested.

VETOED: The Governor vetoed this section stating that it would allow the State Auditor to exceed the authorized spending level.

1 21 Sec. 2. CAMPAIGN FINANCE DISCLOSURE COMMISSION. There is
 1 22 appropriated from the general fund of the state to the
 1 23 campaign finance disclosure commission for the fiscal year
 1 24 beginning July 1, 1992, and ending June 30, 1993, the
 1 25 following amount, or *so* much thereof as is necessary, for the

General Fund appropriation to the Campaign Finance Disclosure Commission.

DETAIL: This is a decrease of \$5,374 and no change in FTE positions compared to the estimated net FY

1 26 purposes designated:
 1 27 For salaries, support, maintenance, miscellaneous purposes,
 1 28 and for not more than the following full-time equivalent
 1 29 positions:
 1 30 \$ 256,420
 1 31 FTES 6.75

1992 appropriation.

1 32 Sec. 3. DEPARTMENT OF EMPLOYMENT SERVICES. There is
 1 33 appropriated from the general fund of the state to the
 1 34 department of employment services for the fiscal year
 1 35 beginning July 1, 1992, and ending June 30, 1993, the
 2 1 following amounts, or *so* much thereof as is necessary, for the
 2 2 purposes designated:

2 3 1. DIVISION OF LABOR SERVICES
 2 4 For salaries, support, maintenance, miscellaneous purposes,
 2 5 and for not more than the following full-time equivalent
 2 6 positions, contingent upon the enactment of section 5 of this
 2 7 Act and the provision which requires moneys appropriated from
 2 8 the special employment security contingency fund to first be
 2 9 used to fully fund the appropriation of \$296,508 to the
 2 10 division of labor services in subsection 1 of section 5 of
 2 11 this Act prior to funding the appropriations in section 5 of
 2 12 this Act to the division of industrial services and the
 2 13 division of job service:
 2 14 \$ 2,222,743
 2 15 FTES 90.00

General Fund appropriation to the Labor Services Division of the Department of Employment Services (DES).

DETAIL: This is a decrease of \$157,561 and an increase of 2.70 FTE positions compared to the estimated net FY 1992 appropriation. While this is a decrease in General Fund money to the Division, total funding for the Division is increased as a result of money appropriated from the Employment Security Contingency (Penalty and Interest) Fund (P & I Fund) for FY 1993 in Section 5.1 of this Act. If the P & I Fund does not receive enough revenues to fund all appropriations, the appropriation to the Labor Services Division is to have first priority.

The P & I Fund money has historically been used to fund labor surveys done by the Job Service Division and for small capital projects. With the shift of P & I Fund money to the Labor Services Division for operations in FY 1993, total funding to the Division is increased by \$138,946 compared to the estimated net FY 1992 appropriation. The increase

includes funding for an additional 2.00 FTE positions to help the Division achieve benchmarks required by the federal Occupational Safety and Health Administration (OSHA) to maintain the State OSHA program. The federal government requires 80.0% of the benchmarks to be met to retain the State OSHA program. The 2 new positions added for FY 1993 will allow the Division to meet 90.0% of the federal benchmarks.

One of the FTE positions is to be funded through a federal grant to perform an agricultural safety survey.

2 16 From the contractor registration fees, the division of
2 17 labor services shall reimburse the department of inspections
2 18 and appeals for all costs associated with hearings under
2 19 chapter 91C, relating to contractor registration.

Requires the Labor Services Division of DES to reimburse the Employment Appeals Board for appeals relating to the Contractor Registration Program.

2 20 2. DIVISION OF INDUSTRIAL SERVICES
2 21 For salaries, support, maintenance, miscellaneous purposes,
2 22 and for not more than the following full-time equivalent
2 23 positions:
2 24 \$ 1,828,127
2 25 FTEs 35.00

General Fund appropriation to the Industrial Services Division of DES.

DETAIL: This is a decrease of \$121,605 and 0.50 FTE position compared to the estimated net FY 1992 appropriation. While this is a decrease in General Fund money to the Division, total funding for the Division is increased as a result of money appropriated from the P & I Fund for FY 1993 in Section 5.2 of this Act. With the shift of P & I Fund money to the Industrial Services Division for operations in FY 1993, total funding to the Division is increased by \$53,889 compared to the estimated net FY 1992 appropriation.. The increase includes a data entry position to enter first report of injury claims for workers' compensation.

2 26 Sec. 4. ADMINISTRATIVE CONTRIBUTION SURCHARGE FUND. There

2 27 is appropriated from the administrative contribution surcharge
 2 28 fund of the state to the department of employment services for
 2 29 the fiscal year beginning July 1, 1992, and ending June 30,
 2 30 1993, the following amount, or so much thereof as is
 2 31 necessary, for the purposes designated:

2 32 DIVISION OF JOB SERVICE

2 33 Notwithstanding section 96.7, subsection 12, paragraph c,
 2 34 for salaries, support, maintenance, conducting labor
 2 35 availability surveys, miscellaneous purposes, and for not more
 3 1 than the following full-time equivalent positions:

3 2	\$ 6,259,913
3 3	FTEs 161.50

3 4 Of the amount appropriated under this section, \$200,000
 3 5 shall be used by the department to conduct labor availability
 3 6 surveys. As a condition of this expenditure, the department
 3 7 shall adopt rules providing that all communities which are
 3 8 scheduled to be surveyed during the fiscal year shall
 3 9 contribute forty percent of the cost of completing the
 3 10 community surveys.

3 11 [1. The department of employment services shall provide
 3 12 services throughout the fiscal year beginning July 1, 1992,
 3 13 and ending June 30, 1993, in all communities in which job
 3 14 service offices are operating on July 1, 1992. However, this
 3 15 provision shall not prevent the consolidation of multiple
 3 16 offices within the same city or the colocation of job service
 3 17 offices with another public agency.]

VETOED

3 18 [2. The division of industrial services shall not reduce
 3 19 the number of scheduled hearings of contested cases or
 3 20 eliminate the venue of such hearings, as established by the
 3 21 division for the period beginning January 1, 1992, and ending
 3 22 January 20, 1993. The division shall also establish a
 3 23 substantially similar schedule for such hearings for the
 3 24 period beginning January 20, 1993, and ending June 30, 1993.]

VETOED

CODE: Administrative Contribution Surcharge (ACS)
 Fund appropriation to the Job Service Division of
 DES.

DETAIL: This is an increase of \$343,863 and 6.00 FTE
 positions compared to the estimated net FY 1992
 appropriation.

Requires \$200,000 of the amount appropriated from the
 ACS Fund to be used for labor availability surveys.

DETAIL: Labor availability surveys were previously
 funded from the P & I Fund. The \$200,000 will only
 partially fund the surveys. Communities surveyed are
 to pay 40.0% of the cost.

Requires DES to continue all Job Service Offices that
 were in operation on July 1, 1992.

VETOED: The Governor vetoed this section stating
 that it limits the Department's flexibility to
 provide services in the most cost effective manner.

Requires the Industrial Services Division of DES to
 maintain the frequency and location of scheduled
 hearings for contested workers' compensation cases
 per the current schedule through January 20, 1993.
 The schedule for the subsequent period should be
 substantially similar.

3 25 The division shall report to the legislative fiscal bureau
 3 26 concerning any modification of the established schedule, or
 3 27 any changes which the division determines are necessary in
 3 28 establishing the schedule for the period beginning January 20,
 3 29 1993, and ending June 30, 1993.

VETOED: The Governor vetoed this section stating that it limits the Division's flexibility to provide services in the most cost effective manner.

3 30 3. The division shall continue charging a \$65 filing fee
 3 31 for workers' compensation cases. The filing fee shall be paid
 3 32 by the petitioner of a claim. However, the fee can be taxed
 3 33 as a cost and paid by the losing party, except in cases where
 3 34 it would impose an undue hardship or be unjust under the
 3 35 circumstances.

Requires the Industrial Services Division of DES to continue charging a \$65 filing fee for workers' compensation cases.

4 1 4. The industrial commissioner shall study and make
 4 2 written recommendations concerning options to fund the
 4 3 division involving all employers relieved from the requirement
 4 4 of obtaining insurance pursuant to section 87.11, all group
 4 5 self-insured associations or plans authorized by section 87.4,
 4 6 and all insurance companies writing insurance policies
 4 7 authorized by section 515.48, subsection 5, paragraph d.
 4 8 Recommendations made shall provide for complete and total
 4 9 funding of the operations of the division of industrial
 4 10 services and shall also provide a plan of implementation and
 4 11 any legislative proposals or actions necessary to implement
 4 12 the recommendations. The report shall be provided in writing
 4 13 to the general assembly and the legislative fiscal bureau no
 4 14 later than January 20, 1993.

Requires the Industrial Services Division of DES to conduct a study to determine alternative sources of funding and to submit a report to the General Assembly and the LFB by January 20, 1993.

4 15 5. The department of employment services, the department
 4 16 of personnel, and the department of management shall work
 4 17 together to ensure that as nearly as possible all full-time
 4 18 equivalent positions authorized and funded for the department
 4 19 of employment services will be utilized during the fiscal year
 4 20 beginning July 1, 1992, and ending June 30, 1993, and future
 4 21 fiscal years, to ensure that the backlog of cases in that
 4 22 department will be reduced as rapidly as possible.

Requires DES, the Department of Management (DOM), and the Department of Personnel (IDOP) to cooperate in filling all authorized and funded positions within DES to reduce case backlogs.

4 23 Sec. 5. EMPLOYMENT SECURITY CONTINGENCY FUND. There is
 4 24 appropriated from the special employment security contingency
 4 25 fund to the department of employment services for the fiscal
 4 26 year beginning July 1, 1992, and ending June 30, 1993, the
 4 27 following amounts, or so much thereof as is necessary, for the
 4 28 purposes designated and subject to the requirement that the
 4 29 appropriation to the division of labor services under this
 4 30 section be fully funded from the special employment security
 4 31 contingency fund prior to any amounts being used to fund the
 4 32 appropriations made to the division of industrial services and
 4 33 the division of job service under this section:

4 34 1. DIVISION OF LABOR SERVICES

4 35 For salaries, support, maintenance, and miscellaneous

5 1 purposes:

5 2 \$ 296,508

Penalty **and** Interest Fund appropriation to the Labor
 Services Division of DES.

DETAIL: These funds are appropriated in addition to
 the General Fund appropriation to the Division in
 Section 3.1 of this Act. This is a new
 appropriation.

5 3 2. DIVISION OF INDUSTRIAL SERVICES

5 4 For salaries, support, maintenance, and miscellaneous

5 5 purposes:

5 6 \$ 175,494

Penalty and Interest Fund appropriation to the
 Industrial Services Division of DES.

DETAIL: This money is appropriated in addition to
 the General Fund appropriation to the Division in
 Section 3.2 of this Act. This is a new
 appropriation.

5 7 3. DIVISION OF JOB SERVICE

5 8 For asbestos removal and remodeling:

5 9 \$ 75,000

Penalty and Interest Fund appropriation to the Job
 Service Division of DES.

DETAIL: This is a decrease of \$475,000 compared to
 the estimated FY 1992 appropriation. The decrease is
 a result of declining revenues to the Fund and
 appropriations made to other DES Divisions from the
 Fund. This appropriation is to be used for asbestos
 removal and remodeling in the DES Administration

Building at 1000 East Grand in Des Moines.

5 10 Sec. 6. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
5 11 appropriated from the general fund of the state to the
5 12 department of inspections and appeals for the fiscal year
5 13 beginning July 1, 1992, and ending June 30, 1993, the
5 14 following amounts, or so much thereof as is necessary, for the
5 15 purposes designated:

5 16 1. FINANCE AND SERVICES DIVISION

5 17 For salaries, support, maintenance, miscellaneous purposes,
5 18 and for not more than the following full-time equivalent
5 19 positions:

5 20 \$ 467,307
5 21 FTEs 24.00

General Fund appropriation to the Finance and Services Division of the Department of Inspections and Appeals (DIA).

DETAIL: This is a decrease of \$66,769 and 1.00 FTE position compared to the estimated net FY 1992 appropriation. The decrease includes removal of a vacant funded FTE position.

5 22 2. AUDITS DIVISION

5 23 For salaries, support, maintenance, miscellaneous purposes,
5 24 and for not more than the following full-time equivalent
5 25 positions:

5 26 \$ 416,731
5 27 FTEs 15.00

General Fund appropriation to the Audits Division of DIA.

DETAIL: This is a decrease of \$33,310 and 6.00 FTE positions compared to the estimated net FY 1992 appropriation. The decrease includes removing vacant funded FTE positions and eliminating the responsibility of the Division to audit real estate broker trust accounts.

5 28 3. APPEALS AND FAIR HEARINGS DIVISION

5 29 For salaries, support, maintenance, miscellaneous purposes,
5 30 and for not more than the following full-time equivalent
5 31 positions:

5 32 \$ 197,547
5 33 FTEs 24.00

General Fund appropriation to the Appeals and Fair Hearings Division of DIA.

DETAIL: This is a decrease of \$147,944 and 3.00 FTE positions compared to the estimated net FY 1992 appropriation. While this is a decrease in General Fund money for FY 1993, the amount appropriated to the Division from the Use Tax receipts in Section 9 of this Act is increased by \$195,092 compared to the

PG LN	House File 2455	Explanation
		estimated net FY 1992 appropriation, for a net increase of \$47,148
5 34	4. INVESTIGATIONS DIVISION	General Fund appropriation to the Investigations Division of DIA.
5 35	For salaries, support, maintenance, miscellaneous purposes,	
6 1	and for not more than the following full-time equivalent	
6 2	positions:	DETAIL: This is an increase of \$21,233 and a decrease of 3.00 FTE positions compared to the estimated net FY 1992 appropriation.
6 3	..... \$ 458,808	
6 4	..... FTEs 35.00	
6 5	5. HEALTH FACILITIES DIVISION	General Fund appropriation to the Health Facilities Division of DIA.
6 6	For salaries, support, maintenance, miscellaneous purposes,	
6 7	and for not more than the following full-time equivalent	
6 8	positions:	DETAIL: This is a decrease of \$128,790 and an increase of 3.00 FTE positions compared to the estimated net FY 1992 appropriation. The decrease eliminates vacant funded positions.
6 9	..... \$ 1,367,682	
6 10	..... FTEs 118.00	
6 11	6. INSPECTIONS DIVISION	General Fund appropriation to the Inspections Division of DIA.
6 12	For salaries, support, maintenance, miscellaneous purposes,	
6 13	and for not more than the following full-time equivalent	
6 14	positions:	DETAIL: This is a decrease of \$78,748 and 6.50 FTE positions compared to the estimated net FY 1992 appropriation. DIA has contracted with local governments to provide inspection services in areas where State inspectors have been eliminated. Under the contract, local entities are allowed to retain the inspection fees to offset the cost of providing inspections at the local level. DIA continues to provide training and administrative support to local contract inspectors.
6 15	..... \$ 711,017	
6 16	..... FTEs 20.00	
6 17	7. EMPLOYMENT APPEAL BOARD	General Fund appropriation to the Employment Appeals Board (EAB) of DIA.
6 18	For salaries, support, maintenance, miscellaneous purposes,	
6 19	and for not more than the following full-time equivalent	
6 20	positions:	DETAIL: This is a decrease of \$1,853 and no change in FTE positions compared to the estimated net FY
6 21	..... \$ 42,764	

6 22 FTEs 16.80

1992 appropriation.

6 23 The employment appeal board shall be reimbursed by the
6 24 labor services division of the department of employment
6 25 services for all costs associated with hearings conducted
6 26 under chapter 91C, related to contractor registration. The
6 27 board may expend, in addition to the amount appropriated under
6 28 this subsection, such amounts as are directly billable to the
6 29 labor services division under this subsection and to retain
6 30 such additional full-time equivalent positions as needed to
6 31 conduct hearings required pursuant to chapter 91C.

Requires the Labor Services Division of DES to
reimburse the EAB for costs associated with
contractor registration appeal hearings.

6 32 8. FOSTER CARE REVIEW BOARD

General Fund appropriation to the Foster Care Review
Board (FCRB) of DIA.

6 33 For salaries, support, maintenance, and miscellaneous
6 34 purposes for conducting foster care review services in the
6 35 sixth and eighth judicial districts, and for not more than the
7 1 following full-time equivalent positions:

DETAIL: This is a decrease of \$123,165 and 1.50 FTE
positions compared to the estimated net FY 1992
appropriation.

7 2 \$ 131,831
7 3 FTEs 4.00

7 4 It is the intent of the general assembly that the state
7 5 foster care review board continue to conduct business on a
7 6 voluntary basis. If the appropriation made in this subsection
7 7 is not sufficient to fund an administrator for the state
7 8 board, personnel in the sixth judicial district shall provide
7 9 administrative assistance to the state board. The funds
7 10 appropriated for the foster care program shall be used first
7 11 to fully fund the program in the sixth judicial district and
7 12 second to implement local board reviews in the eighth judicial
7 13 district.

Allows the State Board of the FCRB to operate on a
voluntary basis and requires priority to be given to
reviews in the Sixth Judicial District. Any
remaining funding is to be used for reviews in the
Eighth Judicial District.

NOTE: Senate File 2385 (Foster and Shelter Care
Bill) requires the FCRB to use \$50,000 of the funds
appropriated in this section for an administrator for
the State Board.

7 14 The department of human services and the state foster care
7 15 review board shall enter into a contract for the purpose of
7 16 submitting an application to the appropriate federal agency to
7 17 obtain any available federal funding. Funding received as a
7 18 result of submitting the application shall be forwarded to the
7 19 state foster care review board to be used in place of

Requires the FCRB to work with the Department of
Human Services (DHS) to establish a contract for
doing reviews and pursue federal funding.

7 20 appropriated state funds for the board. Any unexpended funds
7 21 shall revert to the general fund of the state.

7 22 9. The department of human services shall submit an
7 23 application for funding available pursuant to Title IV-E of
7 24 the federal Social Security Act for the following claims:
7 25 a. For the fiscal year beginning July 1, 1991, and ending
7 26 June 30, 1992, for state foster care review board
7 27 administrative review costs. The department shall begin
7 28 making application for the costs upon the effective date of
7 29 this Act.
7 30 b. For the fiscal period beginning July 1, 1989, and
7 31 ending June 30, 1991, for state foster care review board
7 32 administrative review costs. The department shall make
7 33 application for the costs no later than July 1, 1992.

Requires DHS to submit applications for federal
funding for foster care reviews that have been
provided by the FCRB in FY 1990 through FY 1992.

7 34 Sec. 7. STATE PUBLIC DEFENDER. There is appropriated from
7 35 the general fund of the state to the office of the state
8 1 public defender for the fiscal year beginning July 1, 1992,
8 2 and ending June 30, 1993, the following amounts, or so much
8 3 thereof as is necessary, for the purposes designated:
8 4 1. For salaries, support, maintenance, miscellaneous
8 5 purposes, and for not more than the following full-time
8 6 equivalent positions:
8 7 \$ 6,271,741
8 8 FTEs 144.75

General Fund appropriation to the State Public
Defender of the DIA.

DETAIL: This is an increase of \$110,146 and no
change in FTE positions compared to the estimated net
FY 1992 appropriation.

8 9 The office of the state public defender shall submit
8 10 monthly written reports to the legislative fiscal bureau
8 11 indicating the status of the activities of the office as a
8 12 result of its expansion.

Requires the State Public Defender to submit monthly
reports to the LFB regarding indigent defense costs.

DETAIL: The State Public Defender's Office was
expanded in FY 1992 in order to handle more indigent
defense cases as an attempt to cap the increasing
cost of private court-appointed attorneys. Several
reviews of the average cost per case indicate that
cases handled by private court-appointed attorneys
cost approximately twice as much as those handled by

the State Public Defender. Savings for FY 1992 as a result of the expansion of the Public Defender's Office were estimated at \$4.2 million. Actual expenditures for indigent defense for FY 1992 required supplemental funding of \$2.7 million in SF 2367 which effectively reduced actual savings to \$1.5 million for FY 1992.

8 13 The judicial department shall provide, within thirty days
8 14 after the end of each calendar quarter, a written report
8 15 concerning adult and juvenile indigent defense, to the state
8 16 public defender's office and the department of inspections and
8 17 appeals, including the amount of restitution collected for
8 18 attorney fees as follows:
8 19 a. By county.
8 20 b. By case type in the following categories:
8 21 (1) Juvenile cases involving delinquency actions, child in
8 22 need of assistance actions, or termination of parental rights
8 23 actions.
8 24 (2) Adult cases involving misdemeanor or felony
8 25 prosecutions.

Requires the Judicial Department to provide certain information to the State Public Defender regarding indigent defense cases.

8 26 2. For indigent court-appointed attorney fees for adults
8 27 and juveniles, notwithstanding section 232.141 and chapter
8 28 815:
8 29 \$ 8,445,465

CODE: General Fund appropriation to the Indigent Defense Program of the DIA.

DETAIL: This is a decrease of \$3,350,004 compared to the estimated net FY 1992 appropriation. This decrease reflects a \$650,000 proposed savings by increasing recoupment collected by county attorneys and a pilot project in 2 counties to increase contracting with private attorneys to provide indigent defense at a reduced rate. The remaining \$2.7 million is savings to be achieved by assigning more indigent defense cases to the Public Defender's Office. These cases will be handled by staff added to the Office in FY 1991 and FY 1992.

8 30 Sec. 8. The department of inspections and appeals may
 8 31 charge state departments, agencies, and commissions for
 8 32 services rendered and the payment received shall be considered
 8 33 repayment receipts as defined in section 8.2.

NOTE: Senate File 2382, passed during Extraordinary Session, amended the number of counties in the pilot project to a total of 6, rather than 2.

Permits the DIA to bill State agencies for services provided.

8 34 Sec. 9. ROAD USE TAX FUND. There is appropriated from the
 8 35 use tax receipts collected under chapter 423 prior to deposit
 9 1 in the road use tax fund, to the department of inspections and
 9 2 appeals for the fiscal year beginning July 1, 1992, and ending
 9 3 June 30, 1993, the following amount, or so much thereof as is
 9 4 necessary, for the purposes designated:
 9 5 For salaries, support, maintenance, and miscellaneous
 9 6 purposes:
 9 7 \$ 821,929

Use Tax appropriation to the Appeals and Fair Hearings Division of the DIA.

DETAIL: This appropriation is in addition to the General Fund appropriation to the Division in Section 6.3 of this Act. This appropriation is made from Use Tax receipts prior to deposit in the Road Use Tax Fund (RUTF). Prior appropriations to the Division were made from the RUTF for drivers' license appeals. This is an increase of \$195,092 compared to the estimated net FY 1992 appropriation from the RUTF. The additional funds were necessary to correct the salary adjustment for administrative law judges. The Division received a RUTF supplemental appropriations of \$60,000 for FY 1991 and \$100,000 for FY 1992 to pay salary increases. The State bargaining agreement negotiated for the 2-year period beginning July 1, 1989 contained a reclassification for administrative law judges that allowed them a 2-step increase to be effective the second year of the contract (July 1, 1990). The reclassification was not funded in either FY 1991 or FY 1992 because it was not included in the salary adjustment bill.

9 8 Sec. 10. PUBLIC EMPLOYMENT RELATIONS BOARD. There is
 9 9 appropriated from the general fund of the state to the public
 9 10 employment relations board for the fiscal year beginning July
 9 11 1, 1992, and ending June 30, 1993, the following amount, or so

General Fund appropriation to the Public Employment Relations Board (PERB).

DETAIL: This is an increase of \$23,358 and no change

9 12 much thereof as is necessary, for the purposes designated:
 9 13 For salaries, support, maintenance, miscellaneous purposes,
 9 14 and for not more than the following full-time equivalent
 9 15 positions:
 9 16 \$ 673,998
 9 17 FTEs 13.00

in FTE positions compared to the estimated net FY 1992 appropriation.

9 18 **Sec. 11. DEPARTMENT OF COMMERCE.** There is appropriated
 9 19 from the general fund of the state to the department of
 9 20 commerce for the fiscal year beginning July 1, 1992, and
 9 21 ending June 30, 1993, the following amounts, or *so* much
 9 22 thereof as is necessary, for the purposes designated:

9 23 1. PROFESSIONAL LICENSING AND REGULATION DIVISION
 9 24 For salaries, support, maintenance, miscellaneous purposes,
 9 25 and for not more than the following full-time equivalent
 9.26 positions:
 9 27 \$ 802,762
 9 28 FTEs 11.00

General Fund appropriation to the **Professional** Licensing Division of the Department of Commerce.

DETAIL: This is a decrease of \$331 and no change in FTE positions compared to the estimated net FY 1992 appropriation.

9 29 2. ADMINISTRATIVE SERVICES DIVISION
 9 30 For salaries, support, maintenance, miscellaneous purposes,
 9 31 and for not more than the following full-time equivalent
 9 32 positions:
 9.33 \$ 1,195,532
 9 34 FTEs 30.50

General Fund appropriation to the Administrative Services Division of the Department of Commerce.

DETAIL: This is a decrease of \$151,998 and 11.00 FTE positions compared to the estimated net FY 1992 appropriation. This reduction requires the transfer of 2.00 FTE positions to the Utilities Division for library functions.

9 35 3. ALCOHOLIC BEVERAGES DIVISION
 10 1 For salaries, support, maintenance, miscellaneous purposes,
 10 2 and for not more than the following full-time equivalent
 10 3 positions:
 10 4 \$ 2,706,848
 10 5 FTEs 27.00

General Fund appropriation to the Alcoholic Beverages Division (ABD) of the Department of Commerce.

DETAIL: This is a decrease of \$518,694 and 58.86 FTE positions compared to the estimated net FY 1992 appropriation. The decrease includes estimated savings through the use of a private contractor to provide liquor warehousing and delivery functions.

10 6 4. BANKING DIVISION

10 7 For salaries, support, maintenance, miscellaneous purposes,
10 8 and for not more than the following full-time equivalent
10 9 positions:

10 10	\$ 4,957,650
10 11	FTEs 99.00

10 12 [The banking division may expend additional funds, including **VETOED**
10 13 funds for additional personnel, if those additional
10 14 expenditures are actual expenses which exceed the funds
10 15 budgeted for bank examinations and directly result from
10 16 examinations of banks. The amounts necessary to fund the
10 17 excess examination expenses shall be collected from banks
10 18 being regulated, and the collections shall be treated as
10 19 repayment receipts as defined in section 8.2. The division
10 20 shall notify in writing the legislative fiscal bureau and the
10 21 department of management when hiring additional personnel.
10 22 The written notification shall include documentation that any
10 23 additional expenditure ~~related~~ to such hiring will be totally
10 24 reimbursed to the general fund, and shall also include the
10 25 division's justification for hiring such personnel. The
10 26 division must obtain the approval of the department of
10 27 management only if the number of additional personnel to be
10 28 hired exceeds the number of full-time equivalent positions
10 29 authorized by this section. **3**

10 30 5. CREDIT UNION DIVISION

10 31 For salaries, support, maintenance, miscellaneous purposes,
10 32 and for not more than the following full-time equivalent
10 33 positions:

10 34	\$ 858,333
10 35	FTEs 20.00

The Division entered into a 5-year contract effective December 31, 1991.

General Fund appropriation to the Banking Division of the Department of Commerce.

DETAIL: This is a decrease of \$540,119 and 9.50 FTE positions compared to the estimated net FY 1992 appropriation. This reduction includes elimination of vacant funded FTE positions.

Permits the Banking Division to expend additional funds if necessary for examinations if the funds are reimbursable and the additional expenditures are approved by DOM.

VETOED: The Governor vetoed this section stating that it allows the Banking Division to bypass current hiring procedures.

General Fund appropriation to the Credit Union Division of the Department of Commerce.

DETAIL: This is a decrease of **\$23,964** and no change in FTE positions compared to the estimated net FY 1992 appropriation.

11 1 [The credit union division may expend additional funds, **VETOED**
 11 2 including funds for additional personnel, if those additional
 11 3 expenditures are actual expenses which exceed the funds
 11 4 budgeted for credit union examinations and directly result
 11 5 from examinations of credit unions. The amounts necessary to
 11 6 fund the excess examination expenses shall be collected from
 11 7 credit unions being regulated, and the collections shall be
 11 8 treated as repayment receipts as defined in section 8.2. The
 11 9 division shall notify in writing the legislative fiscal bureau
 11 10 and the department of management when hiring additional
 11 11 personnel. The written notification shall include
 11 12 documentation that any additional expenditure related to such
 11 13 hiring will be totally reimbursed to the general fund, and
 11 14 shall also include the division's justification for hiring
 11 15 such personnel. The division must obtain the approval of the
 11 16 department of management only if the number of additional
 11 17 personnel to be hired exceeds the number of full-time
 11 18 equivalent positions authorized by this section.]

Permits the Credit Union Division to expend additional funds if necessary for examinations if the funds are reimbursable and the additional expenditures are approved by DOM.

VETOED: The Governor vetoed this section stating that it allows the Credit Union Division to bypass current hiring procedures.

11 19 6. INSURANCE DIVISION
 11 20 For salaries, support, maintenance, miscellaneous purposes,
 11 21 and for not more than the following full-time equivalent
 11 22 positions:
 11 23 \$ 4,312,118
 11 24 FTEs 91.00

General Fund appropriation to the Insurance Division of the Department of Commerce.

DETAIL: This is an increase of \$186,843 and a decrease of 1.33 FTE positions compared to the estimated net FY 1992 appropriation. The increase is to allow the Division to fill vacant positions to comply with accreditation standards.

11 25 The division of insurance may reallocate authorized full-
 11 26 time equivalent positions as necessary to respond to
 11 27 accreditation criticisms or requirements.

Permits the Insurance Division to reallocate FTE positions if necessary for accreditation purposes.

11 28 The insurance division may expend additional funds,
 11 29 including funds for additional personnel, if those additional
 11 30 expenditures are actual expenses which exceed the funds .
 11 31 budgeted for insurance company examinations or accreditation
 11 32 purposes, directly result from examinations of insurance

Permits the Insurance Division to expend additional funds if necessary for examinations or accreditation if the funds are reimbursable and the additional expenditures are approved by DOM.

11 33 companies or accreditation purposes, and the additional funds
 11 34 expended for such purposes are fully reimburseable from
 11 35 insurance Companies. Before the division expends or encumbers
 12 1 an amount in excess of the funds budgeted for examinations or
 12 2 accreditation, the director of the department of management
 12 3 shall approve the expenditure or encumbrance. Before approval
 12 4 is given, the director of the department of management shall
 12 5 determine that the examination or accreditation expenses
 12 6 exceed the funds budgeted by the general assembly to the
 12 7 division and that the division does not have other funds from
 12 8 which examination or accreditation expenses can be paid. Upon
 12 9 approval of the director of the department of management the
 12 10 division may expend and encumber funds for excess examination
 12 11 or accreditation expenses. The amounts necessary to fund the
 12 12 excess examination or accreditation expenses shall be
 12 13 collected from those insurance companies being regulated which
 12 14 caused the excess expenditures, and the collections shall be
 12 15 treated as repayment receipts as defined in section 8.2.

12 16 7. UTILITIES DIVISION

12 17 For salaries, support, maintenance, miscellaneous purposes,
 12 18 and for not more than the following full-time equivalent
 12 19 positions:

12 20	\$ 4,391,833
12.21	FTEs 84.00

General Fund appropriation to the Utilities Division
 of the Department of Commerce.

DETAIL: This is a decrease of \$94,426 and 9.50 FTE
 positions compared to the estimated net FY 1992
 appropriation.

12 22 The utilities division may expend additional funds,
 12 23 including funds for additional personnel, if those additional
 12 24 expenditures are actual expenses which exceed the funds
 12 25 budgeted for utility regulation. Before the division expends
 12 26 or encumbers an amount in excess of the funds budgeted for
 12 27 regulation, the director of the department of management shall
 12 28 approve the expenditure or encumbrance. Before approval is
 12 29 given, the director of the department of management shall
 12 30 determine that the regulation expenses exceed the funds
 12 31 budgeted by the general assembly to the division and that the
 12 32 division does not have other funds from which regulation

Permits the Utilities Division to expend additional
 funds if necessary for utility regulation if the
 funds are reimbursable and the additional
 expenditures are approved by DOM.

12 33 expenses can be paid. Upon approval of the director of the
 12 34 department of management the division may expend and encumber
 12 35 funds for excess regulation expenses. The amounts necessary
 13 1 to fund the excess regulation expenses shall be collected from
 13 2 those utility companies being regulated which caused the
 13 3 excess expenditures, and the collections shall be treated as
 13 4 repayment receipts as defined in section 8.2.

13 5 **Sec. 12. RACING AND GAMING COMMISSION.** There is
 13 6 appropriated from the general fund of the state to the racing
 13 7 and gaming commission of the department of inspections and
 13 8 appeals **for** the fiscal year beginning July 1, 1992, and ending
 13 9 June 30, 1993, the following amount, or *so* much thereof as is
 13 10 necessary, to be used for the purposes designated:

13 11 For salaries, support, maintenance, miscellaneous purposes,
 13 12 and for not more than the following full-time equivalent
 13 13 positions:
 13 14 \$ 1,655,339
 13 15 FTEs 18.71

13 16 **Sec. 13. EXCURSION BOAT REGULATION.** There is appropriated
 13 17 from the general fund of the state to the racing and gaming
 13 18 commission of the department of inspections and appeals for
 13 19 the fiscal year beginning July 1, 1992, and ending June 30,
 13 20 1993, the following amount, or *so* much thereof as is
 13 21 necessary, to **be** used for the purposes designated:

13 22 For salaries, support, maintenance, miscellaneous purposes
 13 23 for administration and enforcement of the excursion boat
 13 24 gambling laws, and for not more than the following full-time
 13 25 equivalent positions:
 13 26 \$ 619,513
 13 27 FTEs 12.84

13 28 **Sec. 14.** Section 11.4, subsection 6, unnumbered paragraph
 13 29 **3,** Code 1991, is amended to read as follows:
 13 30 The state auditor is hereby authorized to obtain, maintain,

General Fund appropriation to the Racing and Gaming Commission (RGC) for horse and dog racetrack regulation.

DETAIL: This is a decrease of \$39,075 and 11.20 FTE positions compared to the estimated net FY 1992 appropriation. This reduction reflects the transfer of 1.00 FTE position to excursion boat regulation.

..

General Fund appropriation to the RGC for excursion boat regulation.

DETAIL: This is an increase of \$79,368 and 3.34 FTE positions compared to the estimated net FY 1992 appropriation. This increase reflects 2.00 FTE positions added through an FY 1992 supplemental appropriation and the transfer of 1.00 FTE position from racetracks. The 3.00 FTE positions added are gaming stewards that will monitor financial transactions on riverboats. With the addition of these 3 stewards there is a total of 5 stewards which allows 1 steward per riverboat in operation.

CODE: Deletes the words "offset printing" from the language authorizing the State Auditor to maintain printing equipment. The State Auditor no longer uses

14 19 each year regarding any funds recouped or collected pursuant
 14 20 to section 331.756, subsection 86, during the previous
 14 21 calendar year.

14 22 **Sec. 19. Section 96.13, subsection 3, Code Supplement**
 14 23 1991, is amended to read as follows:
 14 24 **3. Special employment security contingency fund.**
 14 25 **a. There is created in the state treasury a special fund**
 14 26 **to be known as the special employment security contingency**
 14 27 **fund. All interest, fines, and penalties, regardless of when**
 14 28 **they become payable, collected from employers under section**
 14 29 **96.14 shall be paid into the fund. The moneys shall not be**
 14 30 **expended or available for expenditure in any manner which**
 14 31 **would permit their substitution for federal funds which would**
 14 32 **in the absence of the moneys be available to finance**
 14 33 **expenditures for the administration of the ~~employment security~~**
 14 34 **~~law~~ department. However, the moneys may be used as a**
 14 35 **revolving fund to cover expenditures for which federal funds**
 15 1 **have been duly requested but not yet received, subject to the**
 15 2 **charging of the expenditures against the funds when received.**
 15 3 **The moneys may be used for the payment of costs of**
 15 4 **administration which are found not to have been properly and**
 15 5 **validly chargeable against federal grants or other funds,**
 15 6 **received for ~~or in the employment security administration fund~~**
 15 7 **~~the department.~~ The moneys in the fund are specifically made**
 15 8 **available to replace, within a reasonable time, any moneys**
 15 9 **received by this state in the form of grants from the federal**
 15 10 **government for administrative expenses which because of any**
 15 11 **action or contingency have been expended for purposes other**
 15 12 **than, or in excess of, those necessary for the proper**
 15 13 **administration of the ~~employment security law~~ department. All**
 15 14 **moneys in the fund shall be deposited, administered, and**
 15 15 **disbursed in the same manner and under the same conditions and**
 15 16 **requirements as are provided by law for other special funds in**
 15 17 **the state treasury. Interest earned upon moneys in the fund**
 15 18 **shall be deposited in and credited to the fund.**
 15 19 **The treasurer of state shall be the custodian of the fund**

CODE: Allows DES to use P & I Fund money for operations and capital expenditures.

DETAIL: In FY 1992 and prior years, the P & I Fund was used to fund labor surveys completed by the Job Service Division of DES and for small capital projects. For FY 1993, \$472,002 of P & I Fund money has been appropriated to the Industrial and Labor Services Divisions of DES for operations and \$75,000 has been appropriated to the Job Service Division of DES for asbestos removal in Section 5 of this Act.

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15 20 and shall give a separate and additional bond conditioned upon
 15 21 the faithful performance of the treasurer's duties in
 15 22 connection with the fund in an amount and with sureties as
 15 23 shall be fixed and approved by the governor. The premium for
 15 24 the bond shall be paid from the moneys in the fund. All sums
 15 25 recovered on the bond for losses sustained by the fund shall
 15 26 be deposited in the fund. Refunds of interest and penalties
 15 27 shall be paid only from the fund.

15 28 Balances to the credit of the fund shall not lapse at any
 15 29 time but shall continuously be available to the ~~division of~~
 15 30 ~~job-service~~ department for expenditures consistent with this
 15 31 subsection. Moneys remaining in the fund at the end of each
 15 32 fiscal year shall not revert to any fund and shall remain in
 15 33 the fund.

15 34 b. The ~~division~~ department shall annually report to the
 15 35 joint ~~regulatory and finance~~ regulations appropriations
 16 1 subcommittee on its plans for expenditures during the next
 16 2 state fiscal year from the special employment security
 16 3 contingency fund. The report shall describe the specific
 16 4 expenditures and explain why the expenditures are to be made
 16 5 from the fund and not from federal administrative funds.

16 6 c. The ~~division~~ department may appear before the executive
 16 7 council and request funds to meet unanticipated emergencies.

16 8 Sec. 20. Section 117.29, Code 1991, is amended by adding
 16 9 the following new subsection:
 16 10 NEW SUBSECTION. 10. Noncompliance with the trust account
 16 11 requirements under section 117.46.

CODE: Allows revocation of real estate licenses for noncompliance with trust account requirements.

16 12 Sec. 21. Section 117.34, unnumbered paragraph 1, Code
 16 13 1991, is amended to read as follows:
 16 14 The real estate commission may upon its own motion and
 16 15 shall upon the verified complaint in writing of any person, if
 16 16 the complaint together with evidence, documentary or
 16 17 otherwise, presented in connection with the complaint makes
 16 18 out a prima-facie case, request ~~the department of inspections~~
 16 19 ~~and appeals~~ commission staff or any other duly authorized

CODE: Transfers the authority for investigating complaints regarding real estate brokers and agents from DIA to the Real Estate Commission under the Professional Licensing Division of the Department of Commerce.

16 20 representative or designee to investigate the actions of any
 16 21 real estate broker, real estate salesperson, or other person
 16 22 who assumes to act in either capacity within this state, and
 16 23 may suspend or revoke a license issued under this chapter at
 16 24 any time if the licensee has by false or fraudulent
 16 25 representation obtained a license, or if the licensee is found
 16 26 to be guilty of any of the following:

16 27 Sec. 22. Section 117.46, subsections 3 and 5, Code 1991,
 16 28 are amended to read as follows:
 16 29 3. Each broker shall authorize the ~~department of~~
 16 30 ~~inspections and appeals~~ real estate commission to examine each
 16 31 trust account and shall obtain the certification of the bank
 16 32 or savings and loan association attesting to each trust
 16 33 account and consenting to the examination and audit of each
 16 34 account by a duly authorized representative of the ~~department~~
 16 35 ~~commission~~. The certification and consent shall be furnished
 17 1 on forms prescribed by the ~~department~~ commission. This does
 17 2 not apply to an individual farm account maintained in the name
 17 3 of the owner or owners for the purpose of conducting ongoing
 17 4 farm business whether it is conducted by the farm owner or by
 17 5 an agent or farm manager when the account is part of a farm
 17 6 management agreement between the owner and agent or manager.
 17 7 5. A broker may maintain more than one trust account
 17 8 provided the ~~department~~ commission is advised of said account
 17 9 as specified in subsections 2 and 3 above.

CODE: Transfers the authority for auditing real estate broker trust accounts from DIA to the Real Estate Commission under the Professional Licensing Division of the Department of Commerce.

17 10 Sec. 23. Section 117.46, Code 1991, is amended by adding
 17 11 the following new subsections:
 17 12 NEW SUBSECTION. 6. The commission will verify on a test
 17 13 basis, a random sampling of the brokers, corporations, and
 17 14 partnerships for their trust account compliance as a condition
 17 15 of licensure renewal. Each broker, corporation, and
 17 16 partnership shall submit a special report or audit of their
 17 17 trust account to the commission when required.
 17 18 The special report or audit shall be submitted with the
 17 19 filed renewal application or at such other time as the

CODE: Requires random sample testing of real estate broker trust accounts by the Real Estate Commission prior to license renewal. All audits and reports are to be completed by a CPA and paid for by each broker.

17 20 commission may direct. In addition, the commission may upon
 17 21 reasonable cause request or order an audit or special report.
 17 22 All audits and special reports addressed in this section shall
 17 23 be conducted at the expense of the broker by a certified
 17 24 public accountant.

17 25 NEW SUBSECTION. 7. The examination of a trust account
 17 26 shall have been conducted within the twelve months immediately
 17 27 preceding expiration of the license or at such other times as
 17 28 directed by the commission. The report shall be in the
 17 29 approved form and shall include, but is not limited to, a list
 17 30 of all trust account numbers examined and their location and
 17 31 statement indicating if the broker's trust accounts are
 17 32 maintained in accordance with this chapter and the rules
 17 33 adopted for this chapter.

CODE: Requires all real estate broker trust accounts be examined annually.

17 34 NEW SUBSECTION. 8. The commission shall adopt rules to
 17 35 ensure implementation of this section.

CODE: Requires the Real Estate Commission to adopt rules to ensure implementation of requirements for real estate broker trust accounts.

18 1 Sec. 24. Section 123.24, Code 1991, is amended by adding
 18 2 the following new subsection:

18 3 NEW SUBSECTION. 5. Notwithstanding subsection 4, the
 18 4 division shall assess a bottle surcharge to be included in the
 18 5 price of alcoholic liquor in an amount sufficient, when added
 18 6 to the amount not refunded to class E liquor control
 18 7 licensees pursuant to section 455C.2, to pay the costs
 18 8 incurred by the division for collecting and properly disposing
 18 9 of the liquor containers. The amount collected pursuant to
 18 10 this subsection, in addition to any amounts not refunded to
 18 11 class E liquor control licensees pursuant to section 455C.2,
 18 12 shall be deposited in the beer and liquor control fund
 18 13 established under section 123.53.

CODE: Requires the ABD of the Department of Commerce to collect a surcharge on liquor bottles in an amount sufficient to pay the costs of the Division to collect and properly dispose of liquor containers.

DETAIL: This proposal will allow the Division to implement proper disposal of liquor bottles required in HF 753 as passed by the General Assembly in 1989 at no cost to the General Fund.

FISCAL IMPACT: This proposal is revenue neutral. The surcharge collected will offset all costs incurred.

18 14 Sec. 25. Section 123.53, Code 1991, is amended by adding
 18 15 the following new subsection:

18 16 NEW SUBSECTION. 4. The treasurer of state, after making

CODE: Requires the Treasurer of State to transfer to the ABD an amount sufficient to pay the cost of liquor bottle disposal from the Beer and Liquor

18 17 the transfer provided for in subsection 3, shall transfer to
 18 18 the division from the beer and liquor control fund and before
 18 19 any other transfer to the general fund, an amount sufficient
 18 20 to pay the costs incurred by the division for collecting and
 18 21 properly disposing of the liquor containers.

Control Fund.

18 22 Sec. 26. Section 135C.16, subsection 1, Code 1991, is
 18 23 amended by striking the subsection and inserting in lieu
 18 24 thereof the following:

CODE: Allows DIA to inspect health care facilities once every 15 months.

18 25 1. In addition to the inspections required by sections
 18 26 135C.9 and 135C.38. the department shall make or cause to be
 18 27 made such further unannounced inspections as it deems
 18 28 necessary to adequately enforce this chapter. At least one
 18 29 general unannounced inspection shall be conducted for each
 18 30 health care facility within a fifteen-month period. The
 18 31 inspector shall show identification to the person in charge of
 18 32 the facility and state that an inspection is to be made before
 18 33 beginning the inspection. An employee of the department who
 18 34 gives unauthorized advance notice of an inspection made or
 18 35 planned to be made under this subsection or section 135C.38
 19 1 shall be disciplined as determined by the director, except
 19 2 that if the employee is employed pursuant to the merit system
 19 3 provisions of chapter 19A the discipline shall not exceed the
 19 4 discipline authorized pursuant to that chapter.

DETAIL: Current law requires annual inspections.

19 5 Sec. 27. Section 237.16, unnumbered paragraph 2, Code
 19 6 1991, is amended to read as follows:

CODE: Allows reimbursement of expenses for the State Board of the FCRB if funding is available.

19 7 The members of the state board shall annually select a
 19 8 chairperson, vice chairperson, and other officers the members
 19 9 deem necessary. The members ~~are~~ may be entitled to receive
 19 10 reimbursement for actual and necessary expenses incurred in
 19 11 the performance of their duties, subject to available funding.
 19 12 Each member of the board may also be eligible to receive
 19 13 compensation as provided in section 7E.6. The state board
 19 14 shall meet at least twice a year.

DETAIL: The State Board of the FCRB is authorized to meet on a strictly voluntary basis. No funding is provided for the State Board of the FCRB. In previous fiscal years, funding has been provided for expenses of the State Board, including an administrator.

NOTE: Senate File 2385 (Foster and Shelter Care Bill) requires the FCRB to use \$50,000 of the funds

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		appropriated in Section 6.8 of this Act for an administrator for the State Board.
19 15	Sec. 28. Section 237.18, subsection 5, unnumbered	
19 16	paragraph 1, Code 1991, is amended to read as follows:	CODE: Allows the State Board of the FCRB to hire staff if funding is available requires DIA to provide assistance with administrative functions of the FCRB.
19 17	Employ an administrator and appropriate staff in accordance	
19 18	with available funding. The board shall coordinate with the	
19 19	<u>department of inspections and appeals regarding administrative</u>	NOTE: Senate File 2385 (Foster and Shelter Care Bill) requires the FCRB to use \$50,000 of the funds appropriated in Section 6.8 of this Act for an administrator for the State Board.
19 20	<u>functions of the board.</u>	
19 21	Sec. 29. Section 237.23, Code 1991, is amended to read as	
19 22	follows:	CODE: Extends the sunset of the FCRB from July 1, 1992 to July 1, 1996.
19 23	237.23 AUTOMATIC REPEAL.	
19 24	Sections 237.15 through 237.22, Code 1987, are repealed	
19 25	July 1, \$992 1996 .	
19 26	Sec. 30. Section 331.756, subsection 5, Code 1991, is	
19 27	amended to read as follows:	CODE: Adds restitution for court-appointed attorney fees and public defender fees to the county attorneys' authority. Allows county attorneys to designate other county officials to assist with restitution collection under certain circumstances.
19 28	5. Enforce all forfeited bonds and recognizances and	
19 29	prosecute all proceedings necessary for the recovery of debts,	
19 30	revenues, moneys, fines, penalties, <u>restitution of court-</u>	
19 31	<u>appointed attorney fees or expense of a public defender,</u> and	
19 32	<u>forfeitures accruing to the state or the county or to a school</u>	
19 33	<u>district or road district in the county, and all suits in the</u>	
19 34	<u>county against public service corporations which are brought</u>	
19 35	<u>in the name of the state. To assist in this duty, the county</u>	
20 1	<u>attorney may procure professional collection services provided</u>	
20 2	<u>by persons or organizations which are generally considered to</u>	
20 3	<u>have knowledge and special abilities which are not generally</u>	
20 4	<u>available to state or local government <u>or may designate</u></u>	
20 5	<u>another county official or agency to assist with collection</u>	
20 6	<u>efforts.</u>	
20 7	If professional collection services are procured, the	
20 8	county attorney shall enter on the appropriate record of the	
20 9	clerk of the district court an indication of the satisfaction	

20 10 of each obligation to the full extent of all moneys collected
 20 11 in satisfaction of that obligation, including all fees and
 20 12 compensation retained by the collection service incident to
 20 13 the collection and not paid into the office of the clerk.
 20 14 Before a county attorney designates another county official
 20 15 or agency to assist with collection of debts, revenues,
 20 16 moneys, fines, penalties, restitution of court-appointed
 20 17 attorney fees or expense of a public defender, and
 20 18 forfeitures, the board of supervisors of the county must
 20 19 approve the designation. Notwithstanding the disposition
 20 20 provisions of sections 602.8106 and 911.3, the county may
 20 21 retain up to thirty-five percent of all moneys collected,
 20 22 excluding amounts collected for victim restitution, as
 20 23 compensation for collection services. The county attorney
 20 24 shall enter on the appropriate record of the clerk of the
 20 25 district court an indication of the satisfaction of each
 20 26 obligation, including the amount retained by the county for
 20 27 collection services and not paid into the office of the clerk.

20 28 Sec. 31. Section 331.756, Code 1991, is amended by adding
 20 29 the following new subsections:
 20 30 NEW SUBSECTION. 64A. Assist the department of revenue and
 20 31 finance in the implementation of the setoff under section
 20 32 421.17, subsection 25, in regard to moneys owed to the state.
 20 33 NEW SUBSECTION. 64B. Make a written report to the
 20 34 department of inspections and appeals within fifteen days of
 20 35 the end of each calendar quarter of the amount of funds which
 21 1 were owed to the state for indigent defense services and which
 21 2 were recouped pursuant to subsection 5 or 64A.

21 3 Sec. 32. Section 421.17, subsection 25, Code Supplement
 21 4 1991, is amended to read as follows:
 21 5 25. To establish and maintain a procedure to set off
 21 6 against a debtor's income tax refund or rebate any debt which
 21 7 is in the form of a liquidated sum due, owing, and payable, ~~to~~
 21 8 ~~the clerk of the district court~~ as a criminal fine, civil
 21 9 penalty, surcharge, ~~or~~ court costs, or restitution of attorney

CODE: Requires county attorneys to assist the Department of Revenue and Finance with an Income Tax Offset Program for indigent defense recoupment and to report to DIA each quarter regarding the amount of restitution collected.

CODE: Changes all references from clerks of court to county attorneys in the Income Tax Offset Program for indigent defense recoupment.

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21 10 fees incurred as a result of services provided under chapters
21 11 ~~13B~~ and 815, and section 232.141. The procedure shall meet
21 12 the following conditions:

21 13 a. Before setoff all outstanding tax liabilities
21 14 collectible by the department shall be satisfied except that
21 15 no portion of a refund or rebate shall be credited against tax
21 16 liabilities which are not yet due.

21 17 b. Before setoff the ~~clerk of the district court~~ county
21 18 attorney shall obtain and forward to the department the full
21 19 name and social security number of the debtor. The department
21 20 shall cooperate in the exchange of relevant information with
21 21 the ~~clerk~~ county attorney. However, only relevant information
21 22 required by the ~~clerk~~ county attorney shall be provided by the
21 23 department. The information shall be held in confidence and
21 24 shall be used for purposes of setoff only.

21 25 c. The ~~clerk shall, at least quarterly and monthly if~~
21 26 ~~practicable,~~ county attorney, on the first day of February and
21 27 August of each calendar year, shall submit to the department
21 28 for setoff the debts described in this subsection, which are
21 29 at least fifty dollars.

21 30 d. Upon submission of a claim the department shall notify
21 31 the ~~clerk~~ county attorney if the debtor is entitled to a
21 32 refund or rebate and of ~~the amount~~ of the refund or rebate and
21 33 the debtor's address on the income tax return.

21 34 e. Upon notice of entitlement to a refund or rebate the
21 35 ~~clerk~~ county attorney shall send written notification to the
22 1 debtor of the ~~clerk's~~ county attorney's assertion of rights to
22 2 all or a portion of the debtor's refund or rebate and the
22 3 entitlement to recover the debt through the setoff procedure,
22 4 the basis of the assertion, the opportunity to request that a
22 5 joint income tax refund or rebate be divided between spouses,
22 6 and the debtor's opportunity to give written notice of intent
22 7 to contest the amount of the claim. The ~~clerk~~ county attorney
22 8 shall send a copy of the notice to the department.

22 9 f. Upon the request of a debtor or a debtor's spouse to
22 10 the ~~clerk~~ county attorney, filed within fifteen days from the
22 11 mailing of the notice of entitlement to a refund or rebate,

22 12 and upon receipt of the full name and social security number
 22 13 of the debtor's spouse, the ~~clerk~~ county attorney shall notify
 22 14 the department of the request to divide a joint income tax
 22 15 refund or rebate. The department shall upon receipt of the
 22 16 notice divide a joint income tax refund or rebate between the
 22 17 debtor and the debtor's spouse in proportion to each spouse's
 22 18 net income as determined under section 422.7.

22 19 g. The department shall, after notice has been sent to the
 22 20 debtor by the ~~clerk~~ county attorney, set off the debt against
 22 21 the debtor's income tax refund or rebate. The department
 22 22 shall transfer ~~at least quarterly and monthly if practicable,~~
 22 23 sixty-five percent of the amount set off to the ~~clerk~~
 22 24 treasurer of state for deposit in the general fund of the
 22 25 state. The remaining thirty-five percent shall be remitted to
 22 26 the county and deposited in the general fund of the county.
 22 27 If the debtor gives timely written notice of intent to contest
 22 28 the amount of the claim, the department shall hold the refund
 22 29 or rebate until final determination of the correct amount of
 22 30 the claim. The ~~clerk~~ county attorney shall notify the debtor
 22 31 in writing upon completion of setoff.

22 32 **Sec. 33.** Section 421.17, subsection 26, Code Supplement
 22 33 1991, is amended to read **as** follows:

22 34 26. To provide that in the case of **multiple** claims to
 22 35 payments filed under subsections 21, 23, 25, and 29 that
 23 1 priority shall be given to claims filed by the child support
 23 2 recovery unit or the foster care recovery unit under
 23 3 subsection 21, next priority shall be given to claims filed by
 23 4 the college student aid commission under subsection 23, next
 23 5 priority shall be given to claims filed by the investigations
 23 6 division of the department of inspections and appeals under
 23 7 subsection 21, next priority shall be given to claims filed by
 23 8 a ~~clerk of the district court~~ county attorney under subsection
 23 9 25, and last priority shall be given to claims filed by other
 23 10 state agencies under subsection 29. In the case of multiple
 23 11 claims under subsection 29, priority shall be determined in
 23 12 accordance with rules to be established by the director.

CODE: Amends the priority for claims in the case of multiple claims under the Income Tax Offset Program to allow for indigent defense recoupment.

23 13 Sec. 34. Section 455C.2, subsection 1, Code Supplement
 23 14 1991, is amended to read as follows:

23 15 1. ~~Except purchases of alcoholic liquor as defined in~~
 23 16 ~~section 123.3, subsection 8, by holders of class A, 3,~~
 23 17 ~~C, and E liquor control licenses, a~~ A refund value of not
 23 18 less than five cents shall be paid by the consumer on each
 23 19 beverage container sold in this state by a dealer for
 23 20 consumption off the premises. Upon return of the empty
 23 21 beverage container upon which a refund value has been paid to
 23 22 the dealer or person operating a redemption center and
 23 23 acceptance of the empty beverage container by the dealer or
 23 24 person operating a redemption center, the dealer or person
 23 25 operating a redemption center shall return the amount of the
 23 26 refund value to the consumer.

CODE: Removes the exemption from the bottle deposit of 5 cents for holders of Class A, B, C, and E liquor licenses.

23 27 Sec. 35. Section 455C.3, subsection 5, Code Supplement
 23 28 1991, is amended by striking the subsection and inserting in
 23 29 lieu thereof the following:

23 30 5. The alcoholic beverages division of the department of
 23 31 commerce shall provide for the disposal of empty beverage
 23 32 containers as required under subsection 2. The division shall
 23 33 give priority consideration to the recycling of the empty
 23 34 beverage containers to the extent possible, before any other
 23.35 appropriate disposal method is considered or implemented.

CODE: Requires the ABD to dispose of liquor bottles properly and give priority to recycling.

24 1 Sec. 36. Section 910.2, Code 1991, is amended to read as
 24 2 follows:

24 3 910.2 RESTITUTION OR COMMUNITY SERVICE TO BE ORDERED BY
 24 4 SENTENCING COURT.

24 5 In all criminal cases except simple misdemeanors under
 24 6 chapter 321, in which there is a plea of guilty, verdict of
 24 7 guilty, or special verdict upon which a judgment of conviction
 24 8 is rendered, the **sentencing** court shall order that restitution
 24 9 be made by each offender to the victims of the offender's
 24 10 criminal activities and, ~~if the court so orders and~~ to the
 24 11 extent that the offender is reasonably able to ~~do so~~ pay, for

CODE: Requires the courts to order restitution for indigent defense costs in cases where the indigent defendant has some ability to pay.

24 12 crime victim assistance reimbursement, court costs, court-
 24 13 appointed attorney's fees or the expense of a public defender
 24 14 when applicable. However, victims shall be paid in full
 24 15 before restitution is paid for crime victim assistance
 24 16 reimbursement, court costs, court-appointed attorney's fees or
 24 17 for the expense of a public defender. In structuring a plan
 24 18 of restitution, the court shall provide for payments in the
 24 19 following order of priority: victim, crime victim assistance
 24 20 reimbursement, court costs, and court-appointed attorney's
 24 21 fees or the expense of a public defender. When the offender
 24 22 is not reasonably able to pay all or a part of the crime
 24 23 victim assistance reimbursement, court costs, court-appointed
 24 24 attorney's fees or the expense of a public defender, the court
 24 25 may require the offender in lieu of that portion of the crime
 24 26 victim assistance reimbursement, court costs, court-appointed
 24 27 attorney's fees, or expense of a public defender for which the
 24 28 offender is not reasonably able to pay, to perform a needed
 24 29 public service for a governmental agency or for a private,
 24 30 nonprofit agency which provides a service to the youth.
 24 31 elderly or poor of the community. When community service is
 24 32 ordered, the court shall set a specific number of hours of
 24 33 service to be performed by the offender. The judicial
 24 34 district department of correctional services shall provide for
 24 35 the assignment of the offender to a public agency or private
 25 1 nonprofit agency to perform the required service.

..

25 2 **Sec. 37. NEW SECTION. 910.7A JUDGMENT -- ENFORCEMENT.**

25 3 1. An order requiring an offender to pay restitution
 25 4 constitutes a judgment and lien against all property of a
 25 5 liable defendant for the amount the defendant is obligated to
 25 6 pay under the order and may be recorded in any office for the
 25 7 filing of liens against real or personal property.

25 8 2. A judgment of restitution may be enforced by the state,
 25 9 a victim entitled under the order to receive restitution, a
 25 10 deceased victim's estate, or any other beneficiary of the
 25 11 judgment in the same manner as a civil judgment.

CODE: Requires an order to pay restitution to constitute a judgment and lien against a defendant.

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25 12 Sec. 38. Sections 123.24 and 123.53. section 455C.2,
 25 13 subsection 1, and section 455C.3, subsection 5, as amended in
 25 14 this Act, take effect September 1, 1992.

Requires sections pertaining to liquor bottles to be effective September 1, 1992.

25 15 Sec. 39. 1989 Iowa Acts, chapter 272, sections 35 and 36,
 25 16 are repealed.

CODE: Removes the exemption from the bottle deposit of 5 cents for holders of Class A, B, C, and E liquor licenses.

25 17 Sec. 40. 1989 Iowa Acts, chapter 272, section 42, as
 25 18 amended by 1990 Iowa Acts, chapter 1261, section 43, and 1991
 25 19 Iowa Acts, chapter 268, section 442, is amended to read as
 25 20 follows:

CODE: Removes the ABD from the definition of distributor for the purposes of deposits on liquor bottles.

25 21 SEC. 42. ~~Sections Section 34, 35, and 36~~ of this Act ~~are~~
 25 22 ~~is~~ effective ~~July~~ September 1, 1992.

25 23 [Sec. 41. 1990 Iowa Acts, chapter 1234, section 76, as
 25 24 amended by 1991 Iowa Acts, chapter 213, section 35, is
 25 25 repealed.]

VETOED

CODE: Repeals the July 1, 1993 sunset of worker's compensation insurance rate regulation by the Insurance Division of the Department of Commerce.

NOTE: This section is **also** amended by SF 2354 (Insurance Regulatory Bill) which extends the sunset from July 1, 1993 to July 1, 1994 and SF 2345 (Transportation and Safety Appropriations Bill) which repeals the change made by SF 2354. The Governor vetoed the change in SF 2345, but signed SF 2354.

VETOED: The Governor vetoed this section which allows the sunset to be extended to July 1, 1994 per SF 2354.

25 26 Sec. 42. 1991 Iowa Acts, chapter 268, section 404,
 25 27 subsection 2, unnumbered paragraph 2, is amended to read as
 25 28 follows:

CODE: Allows DES to carry over \$100,000 of P & I Fund monies appropriated in FY 1992 for asbestos removal at the DES Administration Building at 1000 East Grand in Des Moines.

25 29 The division shall expend up to \$550,000 for the following:
 25 30 \$50,000, or so much thereof as is necessary, for the removal
 25 31 of 2 chillers and 1 underground storage tank, and \$100,000, or
 25 32 ~~so~~ much thereof as is necessary, for asbestos removal or

25 33 encapsulation at the job service site located at 1000 East
 25 34 Grand, Des Moines, Iowa, and \$400,000, or so much thereof as
 25 35 is necessary, for the support of the labor survey, economic
 26 1 development teams to assist in conducting labor availability
 26 2 surveys. Notwithstanding section 8.33 or this section,
 26 3 unencumbered and unobligated funds remaining on June 30, 1992,
 26 4 from the appropriations in this subsection for asbestos
 26 5 removal or encapsulation at the job service site located at
 26 6 1000 East Grand, Des Moines, shall not revert but shall be
 26 7 available for expenditure for the same purpose for the fiscal
 26 8 year beginning July 1, 1992.

26 9 **Sec. 43.** The supreme court shall review the indigency
 26 10 criteria and procedures used by district court judges for
 26 11 reviewing attorney fee claims for indigent defense in an
 26 12 effort to implement uniform application of such criteria and
 26 13 procedures. This review shall be completed no later than
 26 14 January 1, 1993.

26 15 **Sec. 44. PILOT PROJECT.**

26 16 1. The state public defender shall establish a two-year
 26 17 pilot project to contract with private attorneys for the
 26 18 provision of legal services to indigent persons in two
 26 19 counties, with such counties to be determined by the chief
 26 20 justice of the supreme court, pursuant to this section.

26 21 2. If the local public defender is unable to handle a
 26 22 case, because of a conflict of interest or overload of cases,
 26 23 or if a county is not served by a local public defender, the
 26 24 court shall appoint other counsel for the indigent person as
 26 25 follows:

26 26 a. Subject to paragraph b, the court shall appoint an
 26 27 attorney designated by the state public defender as a contract
 26 28 attorney in the county to handle the case. Appointment of
 26 29 contract attorneys shall be on a rotational or equalizational
 26 30 basis, while taking into consideration the experience of the
 26 31 contract attorneys and the difficulty of the case.

26 32 b. If the court determines that the nature of the charge

Requires the Supreme Court to review indigency criteria and procedures for reviewing attorney fee claims for indigent defense in an attempt to implement uniform application Statewide.

Creates a 2-year pilot project which requires judges to give priority to contract attorneys hired by the State Public Defender in appointments for indigent clients. The pilot project is to occur in 2 counties determined by the Chief Justice of the Supreme Court.

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26 33 or the complexity of the issues in a case requires that an
 26 34 attorney, other than the attorney or attorneys who have
 26 35 contracted with the state public defender, be appointed, the
 27 1 court may appoint a noncontract attorney that the court deems
 27 2 appropriate to provide legal services to the indigent person.
 27 3 If the court appoints a noncontract attorney under this
 27 4 paragraph, the court shall notify the state public defender in
 27 5 writing of the reasons for not appointing the attorney
 27 6 specified in the state public defender contract for legal
 27 7 services to indigent persons and submit a copy of the
 27 8 notification to the state public defender within five working
 27 9 days of the date of the appointment of other counsel.
 27 10 3. This section is repealed June 30, 1994.

27 11 Sec. 45. REPORT.

27 12 1. The state public defender shall make a written report
 27 13 to the legislative fiscal bureau on or before January 10,
 27 14 1994, concerning the pilot project established in section 44
 27 15 of this Act. The report shall include the following
 27 16 information:

27 17 a. Type and number of cases, and the number of cases which
 27 18 proceed to trial, for which legal services are being provided
 27 19 under the pilot project.

27 20 b. The rate paid to the contract attorneys.

27 21 c. The total number of hours dedicated to providing the
 27 22 legal services.

27 23 d. The total cost incurred in providing the legal
 27 24 services.

27 25 2. The information collected pursuant to subsection 1
 27 26 shall be provided to the indigent defense advisory commission
 27 27 established pursuant to section 13B.2A, which shall review the
 27 28 information and make recommendations to the general assembly
 27 29 concerning the elimination or continuation of the use of
 27 30 contract attorneys in providing indigent defense. The
 27 31 recommendations shall be provided prior to March 1, 1994.

27 32 Sec. 46. FEDERAL GRANTS. All federal grants to and the

The State Public Defender is required to submit a report evaluating the cost effectiveness of prioritized contracting to the LFB and the Indigent Defense Advisory Commission by January 10, 1994. The Indigent Defense Advisory Commission is to review the report and make recommendations to the General Assembly by March 1, 1994.

Requires receipts from all federal grants be expended

27 33 federal receipts of agencies appropriated funds under this
 27 34 Act, not otherwise appropriated, are appropriated for the
 27 35 purposes set forth in the federal grants or receipts unless
 28 1 otherwise provided by the general assembly.

as provided for in the grants.

28 2 Sec. 47. EFFECTIVE DATES. .Section 6, subsection 9,
 28 3 paragraph a and section 29, and sections 40 through 42 of
 28 4 this Act, being deemed of immediate importance, are effective
 28 5 upon enactment.

Requires sections of this Act regarding the DHS contracting with the FCRB, sunset of the FCRB, removing ABD from the definition of distributor, sunset of workers' compensation regulation, and carryover of DES P & I Fund to be effective on enactment.

28 6 HF 2455
 28 7 mj/pk/25

**EXECUTIVE SUMMARY
TRANSPORTATION AND SAFETY**

SENATE FILE 2345

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

• *All General Fund appropriations in this bill were reduced by 5.0% by SF 2393, the Second Extraordinary Session Bill, resulting in a total reduction of \$1.2 million from the previous final action for FY 1993. Please refer to the tracking document included in this volume for adjustments by budget unit.*

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

• Provides **\$120,000** from the Road Use Tax Fund (RUTF) and the Primary Road Fund (PRF) to the Administrative Services Division of the Department of Transportation (DOT) for an employee wellness program. (Page 7, Line 8)

• Provides **\$123,000** to the Planning and Research Division of the DOT from the RUTF and PRF for a year-round traffic count program (**\$73,000**) and the development of a joint database program with Iowa State University (**\$50,000**). (Page 7, Line 25)

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

• Increases the General Fund appropriation to the Division of Criminal Investigation of the Department of Public Safety (DPS) by **\$391,000** and **5.3** FTE positions. This includes the addition of **15** new riverboat enforcement officers. (Page 3, Line 7)

*Increases the RUTF appropriation to the Highway Patrol by **\$948,000**. This includes fully funding **21.0** vacant FTE positions eliminated by the Reduction In Force (RIF) Plan, an increase of **\$248,000** and **4.0** FTE positions to expand the patrolling of State highways, and the consolidation of the Communications Division into the Highway Patrol. (Page 4, Line 22)

• Provides a **\$509,000** Use Tax appropriation to the DPS for the final lease-purchase payment on the Automated Fingerprint Identification System mainframe computer. This was funded through the General Fund in FY 1992. (Page 6, Line 18)

• Provides a **\$278,000** Use Tax appropriation to the DPS for pari-mutuel enforcement. This was funded through the General Fund in FY 1992. (Page 6, Line 21)

• Increases funding from the RUTF and the PRF to the Administrative Services Division of the DOT by **\$934,000**. (Page 7, Line 8 and Page 8, Line 30)

*Provides **\$1.0** million from the RUTF and PRF to the DOT for the payment to the General Fund for indirect cost recovery. (Page 8, Line 19 and Page 10, Line 24)

**EXECUTIVE SUMMARY
TRANSPORTATION AND SAFETY**

SENATE FILE 2345

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Increases ~~the~~ PRF appropriation to the Highways Division of ~~the~~ DOT by **\$379,000** and decreases **90.0** FTE positions. (Page 9, Line 24)
- Provides **\$2.9** million from the PRF for the replacement and ~~modification of maintenance~~ facilities at Ames, Mt. Ayr, Soldier, Le Mars, and Maquoketa. (Page 10, Line 27 and Page 11, Line 2)
- Appropriates **\$5.3** million from the General Fund to the DOT for railroad and ~~aviation~~ improvement projects. (Page 13, Line 2 and Page 13, Line 8)
- Changes the minimum per diem of activated National **Guard** members ~~from \$50 to \$75~~ per day for State activations. (Page 15, Line 4)
- Adds veterans of the Persian Gulf Conflict **to** the list of veterans to be given ~~preference in~~ filling public sector positions. (Page 15, Line 18 and Page 21, Line 28)
- Eliminates the requirement that the Iowa Law Enforcement Academy (ILEA) provide ~~psychological~~ testing of law enforcement officer candidates **at** no cost and allows the ILEA to charge ~~the~~ full cost of testing to ~~local~~ governments. (Page 16, Line 21 and Page 17, Line 6)
- Increases the amount of local tax counties are required to levy in order to maximize the allocation of Farm-to-Market ~~and~~ Secondary Road Fund dollars. (Page 17, Line 27 and Page 18, Line 5) *This item was vetoed by the Governor.*
- . Repeals a standing appropriation of **\$750,000** from the ~~Use~~ Tax which provided ~~contingency~~ funding for railroad and aviation improvement projects. (Page 19, Line 10)
- *Eliminates the hold harmless provisions for the distribution of ~~Secondary~~ and Farm-&Market Road Fund dollars to counties beginning July 1, 1993. (Page 19, Line 12 and Page 19, Line 28)
- Allows vehicles traveling to and from a construction site ~~an~~ exemption of 10.0% ~~on the~~ per axle weight restrictions otherwise applicable. (Page 21, Line 10)
- *Creates the Litigation Expense Fund and transfers **\$350,000** in **FY 1993**, and **\$700,000** per year thereafter, to the Fund from the ~~Homestead~~ Tax Credit, ~~Agricultural~~ Land Tax Credit, and Property ~~Tax~~ Replacement to pay expenses of defending state-established property valuations. (Page 22, Line 25)

EXECUTIVE SUMMARY TRANSPORTATION AND SAFETY

SENATE FILE 2345

STUDIES AND INTENT LANGUAGE

- *Requires the DPS to conduct a study to determine the most appropriate handgun for use by State Troopers and Capitol Security Officers. (Page 2, Line 34)
- Allows the Attorney General to use funds from the appropriation to the General Counsel Division of the DOT to protect the State's interest in conjunction with the 1-80 Defense Task Force. (Page 9, Line 3)
- Requires the DOT to place a moratorium on installing tourist-oriented directional signs in the Amana Colonies and prohibits the Colonies from removing signs currently in place. (Page 14, Line 9)
- *Requires the Legislative Fiscal Committee to request that the Attorney General's Office make recommendations to the Legislative Council and the Transportation and Safety Appropriations Subcommittee regarding the recoupment of costs related to the Litigation Expense Fund. (Page 24, Line 28)

GOVERNOR'S VETOES

- The Governor vetoed intent language which specifies that the new classification of riverboat law enforcement officers be included within the protected classification of the Iowa Public Employees Retirement System (IPERS), stating if it is appropriate to include these officers in the protected classification of IPERS, the General Assembly should enact legislation to amend Section 97B.49(16)(d), Code of Iowa. (Page 3, Line 19)
- The Governor vetoed language which specifies that the General Assembly and the Governor do not want to comply with a federal requirement which requires mandatory suspension of a driver's license for any drug-related conviction, stating that he supports a hard suspension of a driver's license for drug-related convictions. (Page 14, Line 18)
- The Governor vetoed language which creates a standing committee of the Legislative Council on transportation policy, stating that the legislative process offers adequate opportunity for legislators to discuss transportation policy issues. (Page 14, Line 25)
- The Governor vetoed language giving the ILEA Council the authority to appoint the Director of the ILEA, stating that the appointment should be made by the Governor with confirmation by the Senate. (Page 16, Line 17)

**EXECUTIVE SUMMARY
TRANSPORTATION AND SAFETY**

SENATE FILE 2345

- The Governor vetoed language which increases the amount of **local tax** counties **are required to levy** in **order** to maximize the allocation of Farm-to-Market and Secondary Road Fund dollars, stating **that** county governments should not be required to increase **property taxes** for these purposes. (Page 17, Line 27 and Page 18, Line 5)
- **The** Governor vetoed language which **repealed** the July 1, 1994, **sunset** of workers' compensation insurance regulation by **the** Insurance Division of the Department of **Commerce** so **that** the regulation will sunset July 1, 1994. (Page 24, Line 24)

Senate File 2345

Senate File 2345 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
10	30	7.8	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
11	4	7.9	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
14	25	14	Adds	Sec. 2.45(5)	Trans. Policy Committee
15	4	15	Amends	Sec. 29A.27	Guard Per Diem
15	12	16	Adds	Sec. 29A.57(3)(d)	Armory Board Authority
15	18	17	Amends	Sec. 70.1(1)	Hiring Preference Gulf Vets.
16	11	18	Adds	Sec. 80.9(2)(h)	Vehicle Theft Unit
				Code Supplement 1991	
16	17	19	Adds	Sec. 808.5	ILEA Director Appointment
16	21	20	Amends	Sec. 808.11(5)	Psychological Testing Costs
				Code Supplement 1991	
17	6	21	Amends	Sec. 808.11B(1)	Psychological Testing Costs
17	13	22	Adds	Sec. 808.16	Audiovisual Fees and Fund
17	27	23	Amends	Sec. 309.10	Farm-to-Market Funds
				Code Supplement 1991	
18	5	24	Amends	Sec. 312.2(8)	Secondary Road Funds
				Code Supplement 1991	
18	19	25	Amends	Sec. 312.2(15)	Use Tax Correction
				Code Supplement 1991	
19	10	26	Repeals	Sec. 312.2(22)	Contingent Standing
				Code Supplement 1991	
19	12	27	Amends	Sec. 312.3(1)	Secondary Road Formula
				Code Supplement 1991	
19	28	28	Repeals	Sec. 312.5(5)	Secondary Road Formula
				Code Supplement 1991	
19	30	29	Amends	Sec. 313.4(4)	Interchange Conflict Lighting
20	4	30	Amends	Sec. 315.4(1)	Primary Road RISE Funding
20	11	31	Amends	Sec. 321.89(1)(a)	Campus Police Authority
20	17	32	Amends	Sec. 321.152(1)	Registration Fees
				Code Supplement 1991	
20	22	33	Amends	Sec. 321.153	County Treasurer's Reporting
20	32	34	Amends	Sec. 321.21 1	Standing Appropriation

Page #	Line #	Bill Section	Action	Code Section Changed	Description
21	10	35	Amends	Sec. 321.463	Construction Vehicle Weight Exemption
21	28	36	Amends	Sec. 400.10	Hiring Preference Gulf Vets.
22	25	37	Adds	Sec. 441.73(1-4)	Litigation Expense Fund
23	31	38	Amends	Sec. 17.2, Chapter 1278 1988 Iowa Acts	Non-Reversion of Funds
24	4	39	Amends	Sec. 9.2, Chapter 1267 1990 Iowa Acts	Scenic Highway Projects
24	14	40	Amends	Sec. 507, Chapter 268 1991 Iowa Acts	Non-Reversion of Funds
24	24	41	Repeals	Sec. 51, SF 2354 1992 Iowa Acts	Workers' Comp. Regulation
25	3	43	Repeals	Sec. 307.39	DOT Maintenance Facilities
25	4	44	Repeals	Sec. 307D	Highway Research Board

1 1 IOWA LAW ENFORCEMENT ACADEMY

1 2 Section 1. There is appropriated from the general fund of
1 3 the state to the Iowa law enforcement academy for the fiscal
1 4 year beginning July 1, 1992, and ending June 30, 1993, the
1 5 following amount, or *so* much thereof as is necessary, to be
1 6 used for the purposes designated:

1 7 For salaries, support, maintenance, miscellaneous purposes,
1 8 including jailer training and technical assistance, and for
1 9 not more than the following full-time equivalent positions:
1 10 \$ 839,317
1 11 FTEs 24.20

1 12 For use by the prosecuting attorneys training coordinator
1 13 in implementing a course of instruction relating to public
1 14 offenses perpetrated due to a victim's protected class status,
1 15 as provided in section 808.11, subsection 3, if and as amended
1 16 by the Seventy-fourth General Assembly, 1992 Session:

1 17 \$ 10,000

1 18 DEPARTMENT OF PUBLIC DEFENSE

1 19 Sec. 2. There is appropriated from the general fund of the
1 20 state to the department of public defense for the fiscal year
1 21 beginning July 1, 1992, and ending June 30, 1993, the
1 22 following amounts, or so much thereof as is necessary, to be
1 23 used for the purposes designated:

1 24 1. MILITARY DIVISION

1 25 For salaries, support, maintenance, miscellaneous purposes,
1 26 and for not more than the following full-time equivalent
1 27 positions:

1 28 \$ 3,298,201
1 29 FTEs 208.59

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is a decrease of \$61,701 and 3.95 FTE positions compared to the estimated net FY 1992 appropriation. The FTE positions that were eliminated were unfunded vacancies which resulted from the annualization of the Reduction in Force (RIF) Plan.

General Fund appropriation to the ILEA for hate crimes training.

DETAIL: This is a new appropriation.

NOTE: House File 2486 (Standings Appropriations Limitations Bill) amends this section to correct an error in wording.

General Fund appropriation to the Military Division of the Department of Public Defense (DPD).

DETAIL: This is an increase of \$78,562 and 2.25 FTE positions compared to the estimated net FY 1992 appropriation. This includes:

1. The addition of 2 security guards at Camp Dodge which are 100.0% federally funded.
2. The addition of \$35,000 for increased maintenance agreements at the Sioux City and Des Moines airbases.

1 30 2. DISASTER SERVICES DIVISION
 1 31 For salaries, support, maintenance, miscellaneous purposes,
 1 32 and for not more than the following full-time equivalent
 1 33 positions:
 1 34 \$ 265,960
 1 35 FTEs 10.00

General Fund appropriation to the Disaster Services Division of the DPD.

DETAIL: This is an increase of \$3,022 and a decrease of 2.00 FTE positions compared to the estimated net FY 1992 appropriation. The FTE positions that were eliminated were unfunded vacancies which resulted from the annualization of the RIF Plan.

2 1 3. VETERANS AFFAIRS DIVISION
 2 2 For salaries, support, maintenance, miscellaneous purposes,
 2 3 and for not more than the following full-time equivalent
 2 4 positions:
 2 5 \$ 143,619
 2 6 FTEs 4.16

General Fund appropriation to the Veterans Affairs Division of the DPD.

DETAIL: This is an increase of \$11,726 and no change in FTE positions compared to the estimated net FY 1992 appropriation to replace the RIF Plan reduction.

2 7 4. WAR ORPHANS
 2 8 For the war orphans educational aid fund established
 2 9 pursuant to chapter 35:
 2 10 \$ 9,854

General Fund appropriation for the War Orphans Educational Aid Fund.

DETAIL: This is a increase of \$87 compared to the estimated net FY 1992 appropriation.

2 11 DEPARTMENT OF PUBLIC SAFETY

2 12 Sec. 3. There is appropriated from the general fund of the
 2 13 state to the department of public safety for the fiscal year
 2 14 beginning July 1, 1992, and ending June 30, 1993, the
 2 15 following amounts, or so much thereof as is necessary, to be
 2 16 used for the purposes designated:

PG LN **Senate File 2345** **Explanation**

2 17 1. For the department's administrative functions,
 2 18 including the medical examiner's office and the criminal
 2 19 justice information system, and for not more than the
 2 20 following full-time equivalent positions:
 2 21 \$ 2,190,629
 2 22 FTEs 43.00

General Fund appropriation to the Administrative Services Division of the Department of Public Safety (DPS).

DETAIL: This is a decrease of \$220 and 5.00 FTE positions compared to the estimated net FY 1992 appropriation. The FTE positions that were eliminated were unfunded vacancies which resulted from the annualization of the RIF Plan.

2 23 a. The department shall continue to pursue its five-year
 2 24 plan to colocate the state medical examiner's office and the
 2 25 department of criminal investigation crime lab. The
 2 26 department of general services shall assist the department of
 2 27 public safety in identifying potential facilities that will
 2 28 adequately meet the department's needs.

Requires the Department to continue to work toward co-locating the State Medical Examiner's Office and the State Crime Lab and requires the Department of General Services (DGS) to cooperate in identifying potential locations.

2 29 b. Funds are provided in this subsection *so* that the
 2 30 department of public safety shall continue to collect,
 2 31 classify, and disseminate statistics as provided in section
 2 32 80.40 and section 236.9 on violations relating to section
 2 33 729.5 and on incidents involving domestic abuse.

Requires the Department to continue to collect and disseminate statistics relating to domestic abuse and individual rights.

2 34 c. The department shall conduct a study to determine the
 2 35 most appropriate handgun and holster to be used by peace
 3 1 officers in the divisions of capitol security and highway
 3 2 safety, uniformed force, and radio communications. The
 3 3 department shall report the results of the study to the
 3 4 chairpersons and ranking members of the transportation and
 3 5 safety appropriations subcommittee and the legislative fiscal
 3 6 bureau by January 1, 1993.

Requires the DPS to conduct a study to determine the most appropriate handgun for use by troopers and capitol security officers and to report to the Subcommittee Chairs and Ranking Members of the Transportation and Safety Appropriations Subcommittee and the Legislative Fiscal Bureau (LFB) by January 1, 1993.

3 7 2. For the division of criminal investigation and bureau
 3 8 of identification including the state's contribution to the
 3 9 peace officers' retirement, accident, and disability system. .
 3 10 provided in chapter 97A in the amount of **18** percent of the
 3 11 salaries for which the funds are appropriated, to meet federal

General Fund appropriation to the Division of Criminal Investigation (DCI) of the DPS.

DETAIL: This is an increase of **\$391,318** and **5.25 FTE** positions compared to the estimated net FY 1992

3 12 fund matching requirements, and for not more than the
 3 13 following full-time equivalent positions:
 3 14 \$ 6,700,894
 3 15 FTEs 150.00

appropriation. This includes:

1. \$473,625 and 15.00 FTE positions for riverboat enforcement officers.
2. \$97,354 and 2.00 FTE positions for special agents to enhance general criminal enforcement.
3. \$84,483 and 8.00 FTE positions for improvement to criminal history records. This will be matched with \$253,450 in federal funds.
4. \$58,548 to restore reductions to the FY 1992 budget.
5. A decrease of \$297,941 and 5.00 FTE special agent positions from riverboat enforcement.
6. A decrease of \$24,000 for the reduction of middle management salary cost.
7. A decrease of \$750 for State Auditor reimbursements.
8. The elimination of 14.75 vacant unfunded FTE positions.

Additionally, the Division anticipates receiving \$476,741 in federal funds in FY 1993.

3 16 a. It is the intent of the general assembly that the
 3 17 division of criminal investigation shall employ no more than
 3 18 15 new riverboat police officers.

Specifies that it is the intent of the General Assembly that the Department employ no more than 15 new riverboat police officers.

3 19 [b. It is the intent of the general assembly that any new
 3 20 classification of riverboat law enforcement officers shall be
 3 21 included within the Iowa public employees' retirement system
 3 22 as members of a protection occupation under section 97B.49,
 3 23 subsection 16, paragraph d.]

VETOED

Specifies that it is the intent of the General Assembly that the new classification of riverboat law enforcement officers be included within the Iowa Public Employees Retirement System (IPERS) for law enforcement officers.

VETOED: THE Governor vetoed this provision stating that if it is appropriate to include these officers in the protected classification of IPERS, the General Assembly should enact legislation to amend Section

97B.49(16)(d), Code of Iowa.

3 24 3. For the division of narcotics enforcement:

3 25 a. The state's contribution to the peace officers'
 3 26 retirement, accident, and disability system provided in
 3 27 chapter 97A in the amount of 18 percent of the salaries for
 3 28 which the funds are appropriated, to meet federal fund
 3 29 matching requirements, and for not more than the following
 3 30 full-time equivalent positions:
 3 31 \$ 2,059,713
 3 32 FTEs 42.00

General Fund appropriation to the Division of
 Narcotics Enforcement (DNE) of the DPS.

DETAIL: This is an increase of \$55,536 and a
 decrease of 2.50 FTE positions compared to the
 estimated net FY 1992 appropriation. This includes:

1. \$50,000 and 1.00 FTE position for a special agent to enhance narcotics enforcement.
2. \$18,224 to restore reductions to the FY 1992 budget.
3. A decrease of \$11,938 for the annualization of the RIF Plan.
4. A decrease of \$750 for State Auditor reimbursements.
5. The elimination of 3.50 vacant unfunded FTE positions.

Additionally, the Division anticipates receiving
 \$470,406 in federal funds in FY 1993.

3 33 b. Undercover purchases:
 3 34 \$ 251,792

General Fund appropriation for undercover purchases.

DETAIL: This an increase of \$2,224 compared to the
 estimated net FY 1992 appropriation. This
 appropriation will be matched with \$380,000 in
 federal funds. These funds are used to provide State
 and local law enforcement the resources necessary to
 conduct undercover narcotics investigations.

3 35 4. For the fire marshal's office, including the state's
 4 1 contribution to the peace officers' retirement, accident, and
 4 2 disability system provided in chapter 97A in the amount of 18

General Fund appropriation to the Fire Marshal's
 Office.

4 3 percent of the salaries for which the funds are appropriated,
 4 4 and for not more than the following full-time equivalent
 4 5 positions;
 4 6 \$ 1,323,512
 4 7 FTEs 30.00

DETAIL: This is an increase of \$1,415 and a decrease of 1.25 FTE positions compared to the estimated net FY 1992 appropriation. The FTE positions that were eliminated were unfunded vacancies which resulted from the annualization of the RIF Plan.

4 8 5. For the capitol security division, and for not more
 4 9 than the following full-time equivalent positions:
 4 10 \$ 1,025,564
 4 11 FTEs 29.00

General Fund appropriation to the Capitol Security Division of the DPS.

DETAIL: This is an increase of \$9,250 and a decrease of 2.50 FTE positions compared to the estimated net FY 1992 appropriation. The FTE positions that were eliminated were unfunded vacancies which resulted from the annualization of the RIF Plan.

4 12 6. For use by the department to provide law enforcement
 4 13 officials for project D.A.R.E. (drug abuse resistance
 4 14 education) within local communities:
 4 15 \$ 28,584

General Fund appropriation for the Drug Abuse Resistance Education (DARE) Program.

DETAIL: This is an increase of \$253 compared to the estimated net FY 1992 appropriation. This appropriation will be used to match \$85,752 in federal funds and to support 2 troopers in the Highway Patrol.

NOTE: House File 2452 appropriates \$28,500 to the DPS to supplement the DARE Program; however, the Governor vetoed this appropriation.

4 16 Sec. 4. There is appropriated from the road use tax fund
 4 17 to the division of highway safety, uniformed force, and radio
 4 18 communications of the department of public safety for the
 4 19 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 4 20 the following amounts, or so much thereof as is necessary, to
 4 21 be used for the purposes designated:

4 22 1. For salaries, support, maintenance, and miscellaneous
 4 23 purposes, including the state's contribution to the peace

Road Use Tax Fund (RUTF) appropriation to the Highway Patrol.

PG LN

Senate File 2345

Explanation

4 24 officers' retirement, accident, and disability system provided
 4 25 in chapter 97A in the amount of 18 percent of the salaries for
 4 26 which the funds are appropriated, and for not more than the
 4 27 following full-time equivalent positions:

4 28		\$28,445,736
4 29	FTEs	529.50

DETAIL: This is an increase of \$948,224 and a decrease of 5.50 FTE positions compared to the estimated net FY 1992 appropriation. This includes:

1. \$273,000 to reimburse the General Fund for indirect costs.
2. An increase in the RUTF appropriation of \$377,000 to offset a reduction in fees from vehicle salvage inspections. This is a result of vehicle salvage inspections being performed by the Department of Transportation (DOT).
3. \$50,224 to restore the Patrol to the full compliment of troopers prior to the implementation of the RIF Plan. The RIF Plan resulted in 21.00 FTE positions being held vacant and \$599,776 set aside for contingent salary increases for FY 1992. This Act restores the \$599,776 and adds \$50,224 to fully fund the 21.00 FTE positions in the Highway Patrol for FY 1993.
4. \$248,000 and 4.00 FTE positions to enhance the patrolling of State highways.
5. An increase of 0.50 FTE position for secretarial support in the Governor's Highway Traffic Safety Bureau. The position will be funded with \$11,488 of federal Highway Safety Act funds.
6. The elimination of 10.00 vacant unfunded FTE positions from radio communications personnel. The consolidation of the Communications Division into the Highway Patrol was completed in SF 2116 which provided a RUTF appropriation of \$3,039,150 and authorized 79.00 FTE positions. However, this level of funding is only sufficient to support 69.00 FTE positions.

Additionally, the Patrol anticipates receiving

4 30 a. It is the intent of the general assembly, that *so* much
 4 31 as is necessary of the appropriation in this subsection, shall
 4 32 support federal Highway Safety Act programs.

4 33 b. It is the intent of the general assembly that the
 4 34 department of public safety, department of personnel, and the
 4 35 department of management take every action necessary to fill
 5 1 the entire complement of positions authorized for the division
 5 2 of highway safety, uniformed force and radio communications,
 5 3 in this appropriation as soon after the effective date of this
 5 4 Act as possible.

5 5 c. The Iowa law enforcement academy may annually select at
 5 6 least five automobiles of the department of public safety,
 5 7 division of highway safety, uniformed force and radio
 5 8 communications, which are being turned in to the state vehicle
 5 9 dispatcher to be disposed of by public auction and the Iowa
 5 10 law enforcement academy may exchange any automobile owned by
 5 11 the academy for each automobile selected if the selected
 5 12 automobile is used in training law enforcement officers at the
 5 13 academy. However, any automobile exchanged by the academy
 5 14 shall be substituted for the selected vehicle of the
 5 15 department of public safety and sold by public auction with
 5 16 the receipts being deposited in the depreciation fund to the
 5 17 credit of the department of public safety, division of highway
 5 18 safety, uniformed force and radio communications.

5 19 d. An employee of the department of public safety or its
 5 20 successor who retires after the effective date of this section
 5 21 of this Act but prior to June 30, 1993, is eligible for
 5 22 payment of life or health insurance premiums as provided for
 5 23 in the collective bargaining agreement covering the public
 5 24 safety bargaining unit at the time of retirement if that
 5 25 employee previously served in a position which would have been
 5 26 covered by the agreement. The employee shall be given credit

\$489,946 in federal funds in FY 1993.

Specifies that it is the intent of the General Assembly that the Department provide funding support for federal Highway Safety Act programs.

Specifies that it is the intent of the General Assembly that the Departments of **Public** Safety, Management, and Personnel take every action necessary to fill all authorized trooper FTE positions.

Requires the DPS to allow the ILEA to select and exchange at least 5 vehicles being turned in to the vehicle dispatcher for use as training vehicles.

Specifies that an employee of the DPS who retires prior to June 30, 1993, is eligible for insurance benefits as provided for in the collective bargaining agreement if that employee previously served in a position covered by the agreement.

E A Q

6 14 be used for the purpose designated:

6 15 1. For the costs associated with the automated fingerprint
 6 16 information system local remote terminals:
 6 17 \$ 247,471

Use Tax appropriation for the final lease-purchase payment on the Automated Fingerprint Information System (AFIS) local terminals.

DETAIL: This is a decrease of \$125,637 compared to the estimated net FY 1992 appropriation.

6 18 2. For the continued purchase of the automated fingerprint
 6 19 information system (AFIS):
 6 20 \$ 509,378

Use Tax appropriation for the final lease-purchase payment of the AFIS mainframe computer.

DETAIL: This is an increase of \$16,475 compared to the estimated net FY 1992 appropriation. This was funded from the General Fund in FY 1992.

6 21 3. For salaries, support, maintenance, and miscellaneous
 6 22 purposes of the pari-mutuel law enforcement agents, including
 6 23 the state's contribution to the peace officers' retirement,
 6 24 accident, and disability system provided in chapter 97A in the
 6 25 amount of 18 percent of the salaries for which the funds are
 6 26 appropriated, and for not more than the following full-time
 6 27 equivalent positions:

Use Tax appropriation for pari-mutuel enforcement.

DETAIL: This is an increase of \$2,452 and no change in FTE positions compared to the estimated net FY 1992 appropriation. This was funded from the General Fund in FY 1992.

6 28 \$ 277,662
 6 29 FTEs 5.00

6 30 STATE DEPARTMENT OF TRANSPORTATION

6 31 Sec. 6. There is appropriated from the road use tax fund
 6 32 to the state department of transportation for the fiscal year
 6 33 beginning July 1, 1992, and ending June '30, 1993, the
 6 34 following amounts, or so much thereof as is necessary, for the
 6 35 purposes designated:

7 1 1. For the payment of costs associated with the production
 7 2 of motor vehicle licenses, as defined in section 321.1,
 7 3 subsection 77:

RUTF appropriation to the DOT for the production of driver's licenses. Maintains current level of funding.

PG LN	Senate File 2345	Explanation
7 4	..... \$ 570,000	
7 5	2. For salaries, support, maintenance, miscellaneous pur-	
7 6	poses, and for not more than the following full-time	
7 7	equivalent positions:	
7 8	a. (1) Administrative services:	RUTF appropriation to the Administrative Services
7 9	..... \$ 3,862,250	Division of the DOT.
7 10	..... FTEs 45.00	<p>DETAIL: This is an increase of \$112,699 and a decrease of 2.50 FTE positions compared to the estimated net FY 1992 RUTF appropriation. This Division is also receiving an appropriation from the Primary Road Fund (PRF) of \$23,725,250, which amounts to a net appropriation of \$27,587,500 for the Division. This represents a net increase of \$933,996 compared to the FY 1992 funding level which includes the following:</p>
		<ol style="list-style-type: none"> 1. \$120,000 for a wellness program for DOT employees. 2. \$49,000 for increased facility lease costs. 3. \$37,000 for increased costs of training and educational assistance. 4. \$150,000 for increased costs to store commercial driver's license data on the national network. 5. \$199,000 for increased telecommunication costs. 6. \$250,000 for increased costs of equipment depreciation. 7. \$219,000 for increased costs of equipment and software agreements. 8. \$258,000 for increased facility maintenance costs. 9. \$30,000 for increased costs of printing State transportation and tourism maps. 10. \$141,000 for increased costs of supplies for information processing.

7 11 The legislative fiscal bureau with the assistance of the
 7 12 state department of transportation shall develop an effective
 7 13 legislative oversight report to be distributed to the
 7 14 transportation and safety joint appropriations subcommittee.
 7 15 This report shall include, but is not to be limited to,
 7 16 expenditure information for all appropriated funds relating to
 7 17 budget, accounting and payroll, and cash flow statements and
 7 18 cash balances for all funds, and all contract expenditures and
 7 19 obligations.

- 11. \$111,000 for reimbursement to the State Auditor.
- 12. A decrease of \$148,500 for a reduction in middle management salary cost.
- 13. A decrease of \$481,504 and 17.00 vacant FTE positions to maintain the RIF Plan.

Requires the LFB and the DOT to develop a legislative oversight report which will include fiscal information on appropriations, cash flow and cash balances for all funds, and all contract expenditures and obligations.

7 20 (2) For a handicapped accessibility study:
 7 21 \$ 8,400

RUTF appropriation for a handicapped accessibility study.

DETAIL: This is a new appropriation. The DOT is also receiving a PRF appropriation of \$51,600 which amounts to a total appropriation of \$60,000 for this study.

7 22 b. General counsel:
 7 23 \$ 177,240
 7 24 FTEs 1.00

RUTF appropriation to the General Counsel Division of the DOT. Maintains current level of service.

DETAIL: This Division is also receiving a PRF appropriation of \$1,088,760, which amounts to a net appropriation of \$1,266,000 for the Division.

7 25 c. Planning and research:
 7 26 \$ 344,875
 7 27 FTEs 8.00

RUTF appropriation to the Planning and Research Division of the DOT.

DETAIL: This is a decrease of \$26,226 and 1.00 FTE position compared to the estimated net FY 1992 RUTF appropriation. This Division is also receiving a PRF

appropriation of \$6,552,625, which amounts to a net appropriation of \$6,897,500 for the Division. This represents a net decrease of \$524,500 compared to the FY 1992 funding level which includes the following:

1. \$73,000 to develop a year-round traffic count program.
2. \$50,000 to develop a joint database program with Iowa State University.
3. \$16,000 for the Mississippi River Parkway Commission expenses which were previously funded through the Department of Economic Development.
4. A decrease of \$37,500 for a reduction in middle management salary cost.
5. A decrease of \$626,000 and 19.00 vacant FTE positions to maintain the RIF Plan.

7 28	d. Aeronautics and public transit:				
7 29	.....	\$	246,120		
7 30	.....	FTEs	5.00		

RUTF appropriation to the Aeronautics and Public Transit Division of the DOT.

DETAIL: This is a decrease of \$214 and no change in FTE positions compared to the estimated net FY 1992 RUTF appropriation. This Division is also receiving appropriations of \$246,120 from the PRF and \$386,760 from the General Fund, which totals \$879,000 for the Division. This represents a net increase of \$8,385 compared to the FY 1992 funding level.

7 31	e. (1) Motor vehicles:				
7 32	.....	\$	18,968,624		
7 33	.....	FTEs	529.00		

RUTF appropriation to the Motor Vehicle Division of the DOT.

DETAIL: This is a decrease of \$284,819 and 13.00 FTE positions compared to the estimated net FY 1992 RUTF appropriation. This Division is also receiving a PRF appropriation of \$767,076 which amounts to a net appropriation of \$19,735,700. This represents a net decrease of \$299,488 compared to the FY 1992 funding

7 34 It is the intent of the general assembly that the motor
 7 35 vehicle division of the department shall conduct all salvage
 8 1 theft examinations and component part reviews required under
 8 2 section 321.52.

8 3 (2) For replacement of obsolete equipment:
 8 4 \$ 47,000

8 5 f. Rail and water:
 8 6 \$ 603,400
 8 7 FTEs 13.00

level which includes the following:

1. \$125,000 for increased overtime cost associated with the current staffing level.
2. \$21,000 and 1.00 FTE position for increased activity associated with special license plate issuance.
3. \$40,000 and 1.00 FTE position for a hazardous materials specialist.
4. A decrease of \$363,988 and 16.00 FTE positions to maintain the RIF Plan.
5. A decrease of \$121,500 for a reduction in middle management salary cost.

Specifies that it is the intent of the General Assembly that the DOT conduct all salvage theft examinations and component part reviews.

DETAIL: Currently, both the DOT and DPS conduct salvage theft examinations and component part reviews. It is estimated that this will enable the Highway Patrol to increase the number of troopers available for road duty by approximately 14.

NOTE: Senate File 2137 eliminates the component part review requirement on rebuilt vehicles for FY 1993.

RUTF appropriation for the replacement of obsolete equipment within the Motor Vehicle Division.

DETAIL: This is a new appropriation.

RUTF appropriation to the Rail and Water Division of the DOT.

DETAIL: This is a decrease of \$88,900 and 2.00 FTE positions compared to the estimated net FY 1992 RUTF

<p>8 8 3. For payments to the department of personnel for 8 9 expenses incurred in administering the merit system on behalf 8 10 of the state department of transportation, as required by 8 11 chapter 19A: 8 12</p> <p>8 13 4. Unemployment compensation: 8 14</p> <p>8 15 5. For payments to the department of personnel for paying 8 16 workers' compensation claims under chapter 85 on behalf of 8 17 employees of the state department of transportation: 8 18</p> <p>8 19 6. For payment to the general fund for indirect cost 8 20 recoveries: 8 21</p> <p>8 22 Sec. 7. There is appropriated from the primary road fund 8 23 to the state department of transportation for the fiscal year 8 24 beginning July 1, 1992, and ending June 30, 1993, the 8 25 following amounts, or so much thereof as is necessary, to be</p>	<p style="text-align: right;">\$ 35,000</p> <p style="text-align: right;">\$ 12,250</p> <p style="text-align: right;">\$ 75,000</p> <p style="text-align: right;">\$ 120,000'</p>
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appropriation. This Division is also receiving a PRF appropriation of \$258,600, which amounts to a net appropriation of \$862,000 for this Division. This represents a net decrease of \$127,000 compared to the FY 1992 funding level which includes the following:

1. A decrease of \$15,000 for a reduction in middle management salary cost.
2. A decrease of \$112,000 and 3.00 FTE positions to maintain the RIF Plan.

RUTF appropriation for payment to the IDOP for administering the merit employment system.

DETAIL: This represents a decrease of \$4,000 compared to the estimated net FY 1992 RUTF appropriation due to reduced charges from the IDOP.

RUTF appropriation for the payment of unemployment compensation. Maintains current level of funding.

RUTF appropriation for payment of workers' compensation claims. Maintains current level of funding.

RUTF appropriation for payment to the General Fund for indirect cost recovery.

DETAIL: This is a new appropriation. In FY 1992, the indirect costs were paid from the Department's operating budget.

8 26 used for the purposes designated:

8 27 1. For salaries, support, maintenance, miscellaneous pur-
8 28 poses, and for not more than the following full-time
8 29 equivalent positions:

8 30 a. (1) Administrative services:

8 31 \$ 23,725,250
8 32 FTEs 278.50

PRF appropriation to the Administrative Services Division of the DOT.

DETAIL: This is an increase of \$821,297 and a decrease of 14.50 FTE positions compared to the estimated net FY 1992 PRF appropriation. See comments provided under the RUTF appropriation for detail of the Division's changes - Page 7, Line 8 of this Act.

8 33 (2) For a handicapped accessibility study:

8 34 \$ 51,600

PRF appropriation for a handicapped accessibility study.

DETAIL: This is a new appropriation. The DOT is also receiving a RUTF appropriation of \$8,400 which amounts to a net appropriation of \$60,000 for this study.

8 35 b. General counsel:

9 1 \$ 1,088,760
9 2 FTEs 7.00

PRF appropriation to the General Counsel Division of the DOT. Maintains current level of service.

9 3 It is the intent of the general assembly that should a
9 4 lawsuit result from the redesignation of interstate 80 or if
9 5 the attorney general deems such a suit necessary, that moneys
9 6 appropriated under paragraph b of this subsection may be
9 7 used by the attorney general to protect the state's interests
9 8 in the matter and that such action by the attorney general
9 9 shall be in cooperation with the 1-80 defense task force in,
9 10 Davenport. However, this paragraph does not limit other uses
9 11 for moneys appropriated under paragraph b of this

Specifies that the Attorney General may use funds from this appropriation to protect the State's interest in conjunction with the 1-80 Defense Task Force.

PG LN	Senate File 2345	Explanation
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9 12 subsection.

9 13 c. Planning and research:

9 14		\$	6,552,625
9 15 FTEs		151.00

PRF appropriation to the Planning and Research Division of the DOT.

DETAIL: This is a decrease of \$498,274 and 18.00 FTE positions compared to the estimated net FY 1992 PRF appropriation. See comments provided under the RUTF appropriation for detail of the Division's changes - Page 7, Line 25 of the Act.

9 16 d. Aeronautics and public transit:

9 17		\$	246,120
9 18 .....	..... FTEs		5.00

PRF appropriation to the Aeronautics and Public Transit Division of the DOT.

DETAIL: This is a decrease of \$214 and no change in FTE positions compared to the estimated net FY 1992 PRF appropriation. See comments provided under the RUTF appropriation for detail of the Division's changes - Page 7, Line 28 of this Act.

9 19 It is the intent of the general assembly that any state
 9 20 agency or individual using an airplane from the state aircraft
 9 21 pool shall be billed in an amount sufficient to cover
 9 22 operation and aircraft maintenance expense, including engine
 9 23 overhaul.

Specifies that it is the Intent of the General Assembly that the DOT include aircraft maintenance and engine overhaul expenses in setting the fees for utilizing aircraft from the State Aircraft Pool.

9 24 e. (1) Highways:

9 25		\$	140,128,500
9 26	FTEs		2,861.00

PRF appropriation to the Highways Division of the DOT.

DETAIL: This is an increase of \$378,500 and a decrease of 90.00 FTE positions compared to the estimated net FY 1992 appropriation and includes the following:

1. \$400,000 for the purchase of pole buildings and salt storage sheds.
2. \$75,000 for the purchase of shop equipment for

- new maintenance facilities.
- 3. \$76,000 for increased utility costs of intersection lighting on State highways.
- 4. \$260,000 for increased overtime cost associated with current staffing levels.
- 5. \$327,000 for increased depreciation costs.
- 6. \$639,000 for equipment operation expense.
- 7. \$544,000 for additional materials and supplies.
- a. \$750,000 for repair and upkeep of maintenance facilities.
- 9. \$45,000 for increased travel related to increased construction activity.
- 10. \$54,000 for materials and supplies for new testing procedures.
- 11. \$65,000 for increased user fees for the American Association of State Highway Transportation Officials (AASHTO), software, and training.
- 12. \$68,000 for automation software, equipment operation, and depreciation.
- 13. \$80,000 to fully light the interchange of State Highway 2 and 1-35.
- 14. A decrease of \$388,500 for the reduction of middle management salary costs.
- 15. A decrease of \$2,616,000 and 90.00 FTE positions to maintain the RIF Plan.

INTENT: Funding for lighting of the interchange of State Highway 2 and 1-35 shall only be expended for this purpose. This is the first interchange where trucks and other vehicles traveling north on 1-35 from Missouri can find 24-hour service and trucks can obtain DOT permits.

9 27 (2) For software module:
 9 28 \$ 30,000

PRF appropriation for the purchase of a software module to assist with contract bid analysis and engineering administration.

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Explanation

9 29 f. Motor vehicles:
 9 30 \$ 767,076
 9 31 FTEs 21.00

DETAIL: This is a new appropriation.

PRF appropriation to the Motor Vehicle Division of the DOT.

DETAIL: This is a decrease of \$14,669 and 1.00 FTE position compared to the estimated net FY 1992 PRF appropriation. See comments provided under the RUTF appropriation for detail of the Division's changes - Page 7, Line 31 of this Act.

9 32 g. Rail and water:
 9 33 \$ 258,600
 9 34 FTEs 6.00

PRF appropriation to the Rail and Water Division of DOT.

DETAIL: This is a decrease of \$38,100 and 1.00 FTE position compared to the estimated net FY 1992 PRF appropriation. See comments provided under the RUTF appropriation for detail of the Division's changes - Page 8, Line 5 of this Act.

9 35 2. For deposit in the state department of transportation's
 10 1 highway materials and equipment revolving fund established by
 10 2 section 307.47 for funding the increased replacement cost of
 10 3 vehicles:
 10 4 \$ 3,079,000

PRF appropriation to the Highway Materials and Equipment Revolving Fund.

DETAIL: This is an increase of \$79,000 compared to the estimated net FY 1992 appropriation due to increased equipment replacement costs.

10 5 The appropriation in this subsection is provided on the
 10 6 basis that no more than \$2,741,091 from the highway materials
 10 7 and equipment revolving fund, plus an allocation for salary
 10 8 adjustment, may be expended for salaries and benefits for not
 10 9 more than 91 FTEs.

Requires the DOT to expend no more than the amount specified for staff to operate the Department's purchasing function.

10 10 3. For payments to the department of personnel for
 10 11 expenses incurred in administering the merit system on behalf
 10 12 of the state department of transportation, as required by
 10 13 chapter 19A:

PRF appropriation for payment to the IDOP for administering the merit employment system.

DETAIL: This is a decrease of \$76,000 compared to

PG LN	Senate File 2345	Explanation
10 14	\$ 665,000	the estimated net FY 1992 appropriation due to decreasing IDOP charges.
10 15	4. Unemployment compensation:	PRF appropriation for payment of unemployment compensation. Maintains current level of funding.
10 16	\$ 232,750	
10 17	5. For payments to the department of personnel for paying	PRF appropriation for payment of workers' compensation claims. Maintains current level of funding.
10 18	workers' compensation claims under chapter 85 on behalf of the	
10 19	employees of the state department of transportation:	
10 20	\$ 1,425,000	
10 21	6. For costs associated with fuel tank replacement and	PRF appropriation for the cleanup and replacement of leaking underground fuel tanks. Maintains current level of funding.
10 22	cleanup:	
10 23	\$ 1,000,000	
10 24	7. For payment to the general fund for indirect cost	PRF appropriation for payment to the General Fund for indirect cost recovery.
10 25	recoveries:	
10 26	\$ 880,000	DETAIL: This is a new appropriation. In FY 1992, indirect costs were paid from the Department's operating budget.
10 27	8. For replacement or 'modification of field facilities. in	PRF appropriation for the expansion or replacement of field facilities at Ames, Mt. Ayr, Soldier, and Le Mars.
10 28	Ames, Mt. Ayr, Soldier, and Le Mars:	
10 29	\$ 2,525,000	DETAIL: This is a decrease of \$285,000 compared to the appropriation for field facility replacement in FY 1992.
10 30	The provisions of section 8.33 do not apply to the funds	CODE: Exempts funds for the replacement of field facilities at Ames, Mt. Ayr, Soldier, and Le Mars from reversion until August 30, 1996. ...
10 31	appropriated by subsection 8, which shall remain available for	
10 32	expenditure for the purposes designated until June 30, 1996.	
10 33	Unencumbered or unobligated funds remaining on June 30, 1996,	
10 34	from funds appropriated in this subsection, for the fiscal.	
10 35	year beginning July 1, 1992, shall revert to the fund from	
11	1 which appropriated on August 30, 1996.	

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Explanation

11 2 9. For the expansion of a field facility at Maquoketa:
 11 3 \$ 375,000

PRF appropriation for the expansion of a field facility at Maquoketa.

DETAIL: This is a new appropriation.

11 4 The provisions of section 8.33 do not apply to the funds
 11 5 appropriated by this subsection, which shall remain available
 11 6 for expenditure for the purposes designated until June 30,
 11 7 1994. Unencumbered or unobligated funds remaining on June 30,
 11 8 1994, from funds appropriated in this subsection for the
 11 9 fiscal year beginning July 1, 1992, shall revert to the fund
 11 10 from which appropriated on September 30, 1994.

CODE: Exempts funds for the expansion of the Maquoketa field facility from reversion until September 30, 1994.

11 11 Sec. 8. The state department of transportation anticipates
 11 12 receipts totaling \$726,550,000 in the road use tax fund for
 11 13 the period beginning July 1, 1992, and ending June 30, 1993.

Specifies that the DOT budget assumes certain levels of State and federal receipts and that standing, formula-based, and direct appropriations are estimated from those levels.

11 14 It is estimated that standing, formula-based, and direct
 11 15 appropriations made by the general assembly for this fiscal
 11 16 year will include the following:

- 11 17 1. Primary road fund, \$11,500,000.
- 11 18 2. Farm-to-market road fund, \$1,500,000.
- 11 19 3. Secondary road fund, \$7,600,000.
- 11 20 4. Revitalize Iowa's sound economy fund, \$26,300,000.
- 11 21 5. Function classification board expenses, \$5,000.
- 11 22 6. Park and institutional road fund, \$4,720,000.
- 11 23 7. Reimbursements to the state department of
 11 24 transportation for assistance to local jurisdictions,
 11 25 \$500,000.
- 11 26 8. Living roadway trust fund, \$250,000.
- 11 27 9. Highway grade crossing safety fund, \$700,000.
- 11 28 10. Highway railroad grade crossing surface repair fund,
 11 29 \$900,000.
- 11 30 11. Secondary bridge fund, \$2,000,000.
- 11 31 12. City bridge fund, \$500,000.
- 11 32 13. License plate, titling, and registration supplies,
 11 33 \$2,000,000.

11 34 14. Traffic safety improvement projects, \$3,630,000.
 11 35 15. Personal delivery of driver license suspension
 12 1 notices, \$225,000.
 12 2 16. Appropriation to the department of inspections and
 12 3 appeals.
 12 4 17. Public transit assistance fund, \$6,230,000.
 12 5 18. Recreational trails development, \$1,000,000.
 12 6 19. Odometer fraud fund, \$200,000.
 12 7 20. Motorcycle education fund, \$90,000.
 12 8 21. Upgrade vehicle registration and titling equipment in
 12 9 county treasurers' offices, \$650,000.
 12 10 22. Appropriations to the state department of
 12 11 transportation for operations.
 12 12 23. Appropriation for the highway patrol.
 12 13 24. Appropriation to the department of management for
 12 14 support staff.
 12 15 25. Appropriation for the production cost of driver's
 12 16 license costs.
 12 17 26. Appropriation for the purchase of radar units for the
 12 18 highway patrol.
 12 19 Of the estimated remaining funds, 47.5 percent
 12 20 (\$285,950,000) shall be distributed to the primary road fund,
 12 21 24.5 percent (\$147,490,000) shall be distributed to the
 12 22 secondary road fund, 8 percent (\$48,160,000) shall be
 12 23 distributed to the farm-to-market road fund, and 20 percent
 12 24 (\$120,400,000) shall be distributed to the city street fund.
 12 25 The state department of transportation anticipates federal
 12 26 funds totaling \$220,202,000 for the period beginning October
 12 27 1, 1991, and ending September 30, 1992. Of this amount
 12 28 approximately \$191,165,000 is for highway maintenance and
 12 29 construction, \$17,292,000 is for public transit, \$10,427,000
 12 30 is for airport improvement, and \$1,318,000 is for local rail
 12 31 assistance.

 12 32 **Sec. 9.** There is appropriated from the general fund of the
 12 33 state to the state department of transportation for the fiscal
 12 34 year beginning July 1, 1992, and ending June 30, 1993, the

13 24 sections 1222, 1224, 1228, 1229, and 1249:
 13 25 1. Railroad assistance fund established under section
 13 26 327H.18.
 13 27 2. Special railroad facility fund established under
 13 28 section 3078.23.
 13 29 3. State aviation fund established under section 328.36.
 13 30 4. Public transit assistance fund established under
 13 31 section 601J.6.

13 32 Sec. 11. There is appropriated from moneys, other than
 13 33 federal moneys, deposited in the victim compensation fund
 13 34 established under section 912.14 to the department of justice
 13 35 for the fiscal year beginning July 1, 1992, and ending June
 14 1 30, 1993, the following amount, or so much thereof as is
 14 2 necessary, to be used for the purpose designated:
 14 3 For use by the prosecuting attorneys training coordinator
 14 4 in implementing a course of instruction relating to public
 14 5 offenses perpetrated due to a victim's protected class status,
 14 6 as provided in section 80B.11, subsection 3, if and as amended
 14 7 by the Seventy-fourth General Assembly, 1992 Session:
 14 8 \$ 10,000

Victim Compensation Fund appropriation for use by the
 Prosecuting Attorneys Training Coordinator for hate
 crimes training.

DETAIL: This is a new appropriation.

14 9 Sec. 12. The state department of transportation shall
 14 10 place a moratorium on the placement of tourist-oriented
 14 11 directional signs within the territorial limits of the Amana
 14 12 colonies and the Amana colonies land use district shall not
 14 13 initiate any action regarding the removal of any existing
 14 14 tourist-oriented directional sign until such time as a
 14 15 comprehensive signing program has been established within the
 14 16 area. The moratorium shall go into effect as of the effective
 14 17 date of this Act.

Requires the DOT to place a moratorium on installing
 tourist-oriented directional signs in the Amana
 colonies and prohibits the colonies from removing
 signs currently in place. The moratorium takes
 effect immediately upon enactment of this
 legislation.

14 18 [Sec. 13. STATE OPPOSITION EXPRESSED. To the extent that
 14 19 Iowa motor vehicle license suspension and revocation law is
 14 20 contrary to or inconsistent with 23 U.S.C. } 104(a)(3)(A) both
 14 21 houses of the general assembly do hereby resolve and the
 14 22 governor does hereby certify their combined opposition to the

VETOED

Specifies that the General Assembly and the Governor
 do not want to comply with 23 U.S.C. 104(a)(3)(A)
 which requires mandatory suspension of driver's
 license for any conviction of a drug-related offense.

14 23 enactment and enforcement in the state of Iowa of the law
14 24 described in 23 U.S.C. } 104(a)(3)(A).]

VETOED: The Governor vetoed this provision stating that he supports a hard suspension of a driver's license for drug-related convictions, and that legislation was submitted to bring Iowa into conformity with federal regulations. He stated further that this provision would take the State in the wrong direction.

14 25 [Sec. 14. Section 2.45, Code 1991, is amended by adding the **VETOED**
14 26 following new subsection:
14 27 NEW SUBSECTION. 5. The transportation policy review
14 28 committee which shall be composed of eight members consisting
14 29 of the chairpersons or their designated committee members and
14 30 the ranking minority party members or their designated
14 31 committee members of the house and senate transportation
14 32 standing committees and the house and senate joint
14 33 transportation and safety appropriations subcommittees. The
14 34 transportation policy review committee shall meet at least two
14 35 times, but not more than four times per year, in conjunction
15 1 with the state transportation commission, and shall exchange
15 2 information and discuss state policy concerns affecting
15 3 transportation related issues.]

CODE: Creates a standing committee of the Legislative Council on transportation policy.

VETOED: The Governor vetoed this provision stating that the legislative process offers adequate opportunity for members of both the standing and joint appropriation committees on transportation to discuss policy issues. The creation of a new legislative committee for this purpose is duplicative and unnecessary.

15 4 Sec. 15 Section 29A.27, unnumbered paragraph 1, Code
15 5 1991, is amended to read as follows:
15 6 Officers and enlisted persons while in active state service
15 7 shall receive the same pay, per diem, and allowances as are
15 8 paid for the same rank or grade for service in the armed
15 9 forces of the United States. However, a person shall not be
15 10 paid at a base rate of pay of less than fifty seventy-five
15 11 dollars per calendar day of active state service.

CODE: Changes the minimum per diem of State activated National Guard members from \$50.00 to \$75.00 per calendar day.

15 12 Sec. 16. Section 29A.57, subsection 3, Code 1991, is
15 13 amended by adding the following new paragraph:
15 14 NEW PARAGRAPH. d. Grant a temporary or permanent easement
15 15 with or without monetary consideration for utility or public
15 16 highway purposes if granting the easement will not adversely

CODE: Gives the Armory Board the authority to grant easements for utilities and highway purposes.

15 17 affect use of the real estate for military purposes.

15 18 **Sec. 17.** Section 70.1, subsection 1, Code 1991, is amended
 15 19 to read as follows:

15 20 1. In every public department and upon all public works in
 15 21 the state, and of the counties, cities, and school
 15 22 corporations ~~thereof~~ of the state, honorably discharged
 15 23 persons from the military or naval forces of the United States
 15 24 in any ~~war in which~~ war in which the United States has been engaged,
 15 25 including the Korean Conflict at any time between June 25,
 15 26 1950 and January 31, 1955, both dates inclusive, and the
 15 27 Vietnam Conflict beginning August 5, 1964, and ending on May
 15 28 7, 1975, both dates inclusive. and the Persian Gulf Conflict
 15 29 beginning August 2, 1990, and ending on the date specified by
 15 30 the president of the congress of the United States as the date
 15 31 of permanent cessation of hostilities, both dates inclusive,
 15 32 who are citizens and residents of this state are entitled to
 15 33 preference in appointment and employment over other applicants
 15 34 of no greater qualifications. However, if the congress of the
 15 35 United States enacts a date different from August 2, 1990, as
 16 1 the beginning of the Persian Gulf Conflict to determine the
 16 2 eligibility of a veteran for military benefits as a veteran of
 16 3 the Persian Gulf Conflict, the date enacted by the congress of
 16 4 the United States shall be substituted for August 2, 1990.
 16 5 The preference in appointment and employment for employees of
 16 6 cities under a municipal civil service is the same as provided
 16 7 in section 400.10. For the purposes of this section service
 16 8 in World War II means service in the armed forces of the
 16 9 United States between December 7, 1941, and December 31, 1946,
 16 10 both dates inclusive.

CODE: Adds veterans of the Persian Gulf Conflict to the list of veterans that are to receive preference in hiring for public sector positions.

16 11 **Sec. 18.** Section 80.9, subsection 2, Code Supplement 1991,
 16 12 is amended by adding the following new paragraph:

16 13 NEW PARAGRAPH. h. To maintain a vehicle theft unit in the
 16 14 Iowa highway safety patrol to investigate and assist in the
 16 15 examination and identification of stolen, altered, or
 16 16 forfeited vehicles.

CODE: Requires the Highway Patrol to maintain a vehicle theft unit.

16 17 [Sec. 19. Section 808.5, Code 1991, is amended by adding **VETOED**
 16 18 the following new unnumbered paragraph:
 16 19 NEW UNNUMBERED PARAGRAPH. The director shall be appointed
 16 20 by the Iowa law enforcement academy council.]

CODE: Provides the ILEA Council the authority to appoint the Director of the ILEA.

VETOED: The Governor vetoed this provision stating that the appointment of the director should be consistent with the appointment of other directors. The appointment should be made by the Governor with confirmation by the Senate.

16 21 Sec. 20. Section 808.11, subsection 5, Code Supplement
 16 22 1991, is amended to read as follows:
 16 23 5. Minimum standards of mental fitness which shall govern
 16 24 the initial recruitment, selection and appointment of law
 16 25 enforcement officers. The rules shall include, but are not
 16 26 limited to, providing a battery of psycholdgical tests to
 16.27 determine cognitive skills, personality characteristics and
 16 28 suitability of an applicant for a law enforcement career.
 16 29 However, this battery of tests need only be given to
 16 30 applicants being considered in the final selection process for
 16 31 a law enforcement position. Notwithstanding any provision of
 16 32 chapter 400, an applicant shall not be hired if the employer
 16 33 determines from the tests that the applicant does not possess
 16 34 sufficient cognitive skills, personality characteristics, or
 16 35 suitability for a law enforcement career. The director of the
 17 1 academy ~~shall, beginning July 1, 1986,~~ provide for the
 17 2 cognitive and psychological examinations and their
 17 3 administration ~~at no cost~~ to the law enforcement agencies or
 17 4 applicants, and shall identify and procure persons who can be
 17 5 hired to interpret the examinations.

CODE: Eliminates the requirement that the ILEA provide psychological and cognitive examinations at no cost for law enforcement officer candidates.

17 6 Sec. 21. Section 80B.11B, subsection 1, Code 1991, is
 17 7 amended to read as follows:
 17 8 1. ~~Notwithstanding section 80B.11, subsection 5, not more~~
 17 9 ~~than one-half of the~~ The full cost of providing cognitive and
 17 10 psychological examinations of law enforcement officer
 17 11 candidates may be charged ~~for taking the examinations~~ by the

CODE: Allows the ILEA to charge the full cost to local governments of providing psychological and cognitive examinations for law enforcement officer candidates.

17 12 Iowa law enforcement academy.

17 13 Sec. 22. NEW SECTION. 80B.16 AUDIOVISUAL FEES
17 14 ESTABLISHED.

17 15 The academy may charge state departments, independent
17 16 agencies, or other governmental offices a fee not to exceed
17 17 the actual costs, including the cost of equipment, production,
17 18 and duplication, for audiovisual services provided by the
17 19 academy. Fees shall be deposited in a separate fund in the
17 20 state treasury to be known as the audiovisual equipment fund.
17 21 Funds generated from the audiovisual fees are appropriated and
17 22 shall be used at the direction of the academy only to maintain
17 23 and upgrade academy audiovisual equipment. Notwithstanding
17 24 section 8.33, unencumbered or unobligated moneys in the
17 25 separate fund at the end of a fiscal year shall not revert to
17 26 the general fund of the state.

CODE: Allows the ILEA to charge a fee for audiovisual services. Fees collected will be deposited into a revolving fund to be used to replace audiovisual equipment.

17 27 [Sec. 23. Section 309.10, unnumbered paragraph 2, Code **VETOED**
17 28 Supplement 1991, is amended to read as follows:
17 29 A county shall not use farm-to-market road funds as
17 30 described in this section unless the total funds that the
17 31 county transferred or provided during the prior fiscal year
17 32 pursuant to section 331.429, subsection 1, paragraphs a,
17 33 b, d, and e, are at least seventy-five percent of the
17 34 sum of the following for the fiscal year ending June 30, 1993,
17 35 eighty percent of the sum of the following for the fiscal year
18 1 ending June 30, 1994, eighty-five percent of the sum of the
18 2 following for the fiscal year ending June 30, 1995, and ninety
18 3 percent of the sum of the following for each fiscal year
18 4 beginning on or after July 1, 1995.]

CODE: Increases the amount of local tax counties are required to levy in order to maximize the allocation of Farm-to-Market Road Funds. Currently, counties must levy 75.0% of the maximum levy for road improvements in order to receive the entire allocation. This language increases the percentage by 5.0% per year to a maximum of 90.0% in FY 1996 and each succeeding year.

VETOED: The Governor vetoed this provision stating that county governments should not be required to increase property taxes for these purposes.

18 5 [Sec. 24. Section 312.2, subsection 8, unnumbered paragraph **VETOED**
18 6 1, Code Supplement 1991, is amended to read as follows:
18 7 The treasurer of state, before making any allotments to
18 8 counties under this section, shall reduce the allotment to a
18 9 county for the secondary road fund by the amount by which the
18 10 total funds that the county transferred or provided during the

CODE: Increases the amount of local tax counties are required to levy in order to maximize the allocation of Secondary Road Funds. Currently, counties must levy 75.0% of the maximum levy for road improvements in order to receive the entire allocation. This language increases the percentage by 5.0% per year to

PG LN	Senate File 2345	Explanation
18 11 18 12 18 13 18 14 18 15 18 16 18 17 18 18	prior fiscal year under section 331.429, subsection 1, paragraphs a, b, d, and e, are less than seventy-five percent of the sum of the following <u>for the fiscal year ending June 30, 1993, eighty percent of the sum of the following for the fiscal year ending June 30, 1994, eighty-five percent of the sum of the following for the fiscal year ending June 30, 1995, and ninety percent of the sum of the following for each fiscal year beginning on or after July 1, 1995:</u>	a maximum of 90.0% in FY 1996 and each succeeding year. VETOED: The Governor vetoed this provision stating that county governments should not be required to increase property taxes for these purposes.
18 19 18 20 18 21 18 22 18 23 18 24 18 25 18 26 18 27 18 28 18 29 18 30 18 31 18 32 18 33 18 34 18 35 19 1 19 2 19 3 19 4 19 5 19 6 19 7 19 8 19 9	<p>Sec. 25. Section 312.2, subsection 15, Code Supplement 1991, is amended to read as follows:</p> <p>15. The treasurer of state, before making the allotments provided for in this section, shall credit monthly from the road use tax fund to the public transit assistance fund, created under section 601J.6, from revenue credited to the road use tax fund under section 423.24, subsection 1, paragraph c, an amount equal to one-twentieth of the revenue credited to the road use tax fund under section 423.24, subsection 1, paragraph c derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment as collected pursuant to section 423.7.</p> <p>Notwithstanding the provisions of this subsection directing that one-twentieth of the revenue credited to the road use tax fund under section 423.24, subsection 1, paragraph c derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment as collected pursuant to section 423.7, be deposited into the public transit assistance fund, for the fiscal period beginning on July 1, 1991, and ending June 30, 1993, such amount shall be deposited into the general fund of the state. There is appropriated from the general fund of the state for each fiscal year to the state department of transportation the amount of revenues credited to the general fund of the state during the fiscal year under this subsection to be used for purposes of public transit assistance under chapter 601J.</p>	<p>CODE: Changes the language to reflect the current practice of crediting one-twentieth of the Use Tax receipts, prior to off-the-top allocations, to the Public Transit Assistance Fund.</p> <p>..</p>
19 10	Sec. 26. Section 312.2, subsection 22, Code Supplement	CODE: Strikes the subsection which provided a

19 11 1991, is amended by striking the subsection.

\$750,000 standing appropriation from Use Tax receipts to the DOT for contingency funding for railroad and airport improvement projects.

19 12 Sec. 27. Section 312.3, subsection 1, Code Supplement
19 13 1991, is amended by striking the subsection and inserting in
19 14 lieu thereof the following:

CODE: Eliminates the hold harmless requirement on the distribution of Secondary and Farm-to-Market Road Funds to counties beginning July 1, 1993.

19 15 1. Apportion among the counties in the ratio that the
19 16 needs of the secondary roads of each county bear to the total
19 17 needs of the secondary roads of the state for each fiscal year
19 18 based upon the total needs of secondary roads of the state as
19 19 shown in the latest quadrennial need study report developed by
19 20 the state department of transportation, and which is on record
19 21 at the department, seventy percent of the allocation from road
19 22 use tax funds which is credited to the secondary road fund of
19 23 the counties, and apportion among the counties in the ratio
19 24 that the area of each county bears to the total area of the
19 25 state, thirty percent of the allocation from road use tax
19 26 funds which is credited to the secondary road fund of the
19 27 counties.

19 28 Sec. 28. Section 312.5, subsection 5, Code Supplement
19 29 1991, is amended by striking the subsection.

CODE: See Section 27.

19 30 Sec. 29. Section 313.4, subsection 4, unnumbered paragraph
19 31 1, Code 1991, is amended to read as follows:

19 32 Such fund is appropriated and shall be used by the
19 33 department to provide energy and for the operation and
19 34 maintenance of those primary road freeway lighting systems
19 35 within the corporate boundaries of cities including energy and
20 1 maintenance costs associated with interchange conflict
20 2 lighting on existing and future freeway and expressway
20 3 segments constructed to interstate standards'.

CODE: Requires the DOT to pay for energy and maintenance costs associated with lighting at interchanges on existing and future freeway and expressway segments constructed to interstate standards.

20 4 Sec. 30. Section 315.4, subsection 1, Code 1991, is
20 5 amended to read as follows:
20 6 1. Twenty thirty-firsts for deposit in the primary road

CODE: Deposits the primary road portion of the Revitalize Iowa's Sound Economy (RISE) Fund directly into the Primary Road Fund to reduce redundant

PG LN	Senate File 2345	Explanation
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20 7 fund for the use of the department on primary road projects
 20 8 exclusively for highways which are identified under section
 20 9 307A.2 as being part of the network of commercial and
 20 10 industrial highways.

bookkeeping.

20 11 Sec. 31. Section 321.89, subsection 1, paragraph a, Code
 20 12 1991, is amended to read as follows:
 20 13 a. Police authority means the Iowa highway safety
 20 14 patrol, ~~or~~ any law enforcement agency of a county or city or
 20 15 any special security officer employed by the state board of—
 20 16 regents under section 262.13.

CODE: Provides security officers employed by the Board of Regents with police powers related to the impoundment and disposition of abandoned vehicles.

20 17 Sec. 32. Section 321.152, subsection 1, Code Supplement
 20 18 1991, is amended to read as follows:
 20 19 1. Four ~~and one-quarter~~ percent of the total collection
 20 20 for each annual ~~or~~ semiannual vehicle registration and each
 20 21 duplicate registration card or plate issued.

CODE: Changes the percentage of vehicle registration fees counties are allowed to retain from 4.25% to 4.0%.

FISCAL IMPACT: It is estimated that this provision will be revenue neutral as a result of the enactment of SF 2346 and HF 2477 which increased registration fees on multipurpose vehicles.

20 22 Sec. 33. Section 321.153, Code 1991, is amended to read as
 20 23 follows:
 20 24 321.153 TREASURER'S REPORT TO DEPARTMENT.
 20 25 The county treasurer ~~shall~~ on the tenth day of each month
 20 26 ~~shall~~ certify under county seal to the department, on forms
 20 27 furnished by it, a full and complete statement of all fees and
 20 28 penalties received by the county treasurer during the
 20 29 preceding calendar month and shall remit all moneys not
 20 30 retained for deposit under section 321.152 to the treasurer of
 20 31 state.

CODE: Requires county treasurers to certify and remit to the State all fees and penalties by the tenth of each month which were collected in the prior month.

20 32 Sec. 34. Section 321.211, unnumbered paragraph 2, Code
 20 33 1991, is amended to read as follows:
 20 34 There is appropriated each year from the road use tax fund
 20 35 to the department of transportation ~~one hundred sixty two~~
 21 1 hundred twenty-five thousand dollars or as much thereof as is

CODE: Increases the RUTF standing appropriation for the personal delivery of driver's license suspension notices from \$160,000 to \$225,000.

21 2 necessary to be used to pay the cost of notice and personal
 21 3 delivery of service, as necessary to meet the notice
 21 4 requirement of this section. The department shall adopt rules
 21 5 governing the payment of the cost of personal delivery of
 21 6 service. The reinstatement fees collected under section
 21 7 321.191 shall be deposited in the road use tax fund in the
 21 8 manner provided in section 321.145, as reimbursement for the
 21 9 costs of notice under this section.

21 10 Sec. 35. Section 321.463, unnumbered paragraph 6, Code
 21 11 1991, is amended to read as follows:
 21 12 In addition, the weight on any one axle, including a tandem
 21 13 axle, of a vehicle which is transporting raw materials ~~which~~
 21 14 ~~are removed from a road under construction from a designated~~
 21 15 borrow site to a construction project or transporting raw
 21 16 materials from a construction project, may exceed the legal
 21 17 maximum weight otherwise allowed under this chapter by ten
 21 18 percent if the gross weight on any particular group of axles
 21 19 on the vehicle does not exceed the gross weight allowed under
 21 20 this chapter for that group of axles. However, if the vehicle
 21 21 exceeds the ten percent tolerance allowed for any one axle or
 21 22 tandem axle under this paragraph the fine to be assessed for
 21 23 the axle or tandem axle **shall** be computed on the difference
 21 24 between the actual weight and the ten percent tolerance weight
 21 25 allowed for the axle or tandem axle under this paragraph.
 21 26 This paragraph applies only to vehicles operating along a
 21 27 route of travel approved by the department.

CODE: Allows vehicles traveling to and from a construction site an exemption of 10.0% on the per axle weight restrictions otherwise applicable.

21 28 Sec. 36. Section 400.10, unnumbered paragraph 1, Code
 21 29 1991, is amended to read as follows:
 21 30 In all examinations and appointments under this chapter,
 21 31 other than promotions and appointments of chief of the police
 21 32 department and chief of the fire department, honorably
 21 33 discharged veterans from the military or naval forces of the
 21 34 United States in any war in which the United States has been
 21 35 engaged, including the Korean Conflict at any time between
 22 1 June 25, 1950 and January 31, 1955, both dates inclusive, end

CODE: Adds veterans of the Persian Gulf Conflict to the list of veterans that are to receive preference in hiring for public sector positions.

22 2 the Vietnam Conflict beginning August 5, 1964, and ending May
 22 3 7, 1975, both dates inclusive, and the Persian Gulf Conflict
 22 4 beginning August 2, 1990, and ending on the date specified by
 22 5 the president or the congress of the United States as the date
 22 6 of permanent cessation of hostilities, both dates inclusive,
 22 7 and who are citizens and residents of this state, shall have
 22 8 five points added to the veteran's grade or score attained in
 22 9 qualifying examinations for appointment to positions and five
 22 10 additional points added to the grade or score if the veteran
 22 11 has a service-connected disability or is receiving
 22 12 compensation, disability benefits or pension under laws
 22 13 administered by the veterans administration. However, if the
 22 14 congress of the United States enacts a date different from
 22 15 August 2, 1990, as the beginning of the Persian Gulf Conflict
 22 16 to determine the eligibility of a veteran for military
 22 17 benefits as a veteran of the Persian Gulf Conflict, the date
 22 18 enacted by the congress of the United States shall be
 22 19 substituted for August 2, 1990. An honorably discharged
 22 20 veteran who has been awarded the Purple Heart for disabilities
 22 21 incurred in action shall be considered to have a service-
 22 22 connected disability. However, the points shall be given only
 22 23 upon passing the exam and shall not be the determining factor
 22 24 in passing.

22 25 Sec. 37. NEW SECTION. 441.73 LITIGATION EXPENSE FUND.

22 26 1. A litigation expense fund is created in the state
 22 27 treasury. The litigation expense fund shall be used for the
 22 28 payment of litigation expenses incurred by the state to defend
 22 29 property valuations established by the director of revenue and
 22 30 finance pursuant to section 428.24 and chapters 430A, 433,
 22 31 434, 436, 437. and 438.

22 32 2. If the director of revenue and finance determines that
 22 33 foreseeable litigation expenses will exceed the amount
 22 34 available from appropriations made to the department of
 22 35 revenue and finance, the director of revenue and finance may
 23 1 apply to the executive council for use of funds on deposit in
 23 2 the litigation defense fund. The initial application for

CODE: Creates the Litigation Expense Fund to pay expenses of defending property valuations set by the Director of the Department of Revenue and Finance.

DETAIL: This Fund will be funded through the transfer of monies from the Homestead Tax Credit, Agricultural Land Tax Credit, and Property Tax Replacement in the amount of \$350,000 in FY 1993 and \$700,000 for each succeeding year.

23 3 approval shall include an estimate of potential litigation
 23 4 expenses, allocated to each of the next four succeeding
 23 5 calendar quarters and substantiated by a breakdown of all
 23 6 anticipated costs for legal counsel, expert' witnesses, and
 23 7 other applicable litigation expenses.

23 8 3. The executive council may approve expenditures from the
 23 9 litigation expense fund on a quarterly basis. Prior to each
 23 10 quarter, the director of revenue and finance shall report to
 23 11 the executive council and give a full accounting of actual
 23 12 litigation expenses to date as well as estimated litigation
 23 13 expenses for the remaining calendar quarters of the fiscal
 23 14 year. The executive council may adjust quarterly expenditures
 23 15 from the litigation expense fund based on this information.

23 16 4. The executive council shall transfer for the fiscal
 23 17 year beginning July 1, 1992, and each fiscal year thereafter,
 23 18 from funds established in sections 405A.8, 425.1, and 426.1,
 23 19 an amount necessary to pay litigation expenses. However, the
 23 20 amount of funds transferred to the litigation expense fund for
 23 21 the fiscal year beginning July 1, 1992, shall not exceed three
 23 22 hundred fifty thousand dollars and the amount of the fund for
 23 23 the succeeding fiscal years shall not exceed seven hundred
 23 24 thousand dollars. The executive council shall determine
 23 25 annually the proportionate amounts to be transferred from the
 23 26 three separate funds. At any time when no litigation is
 23 27 pending or in progress the balance in the litigation defense
 23 28 fund shall not exceed one hundred thousand dollars. Any
 23 29 excess moneys shall be transferred in a proportionate amount
 23 30 back to the funds from which they were originally transferred.

23 31 **Sec. 38.** 1988 Iowa Acts, chapter 1278, section 17,
 23 32 subsection 2, unnumbered paragraph 3, is amended to read as
 23 33 follows:

23 34 The provisions of section 8.33 do not apply to the funds
 23 35 appropriated by this subsection. Unencumbered or unobligated
 24 1 funds remaining on June 30, ~~1992~~ **1994**, from funds appropriated
 24 2 for the fiscal year beginning July 1, 1988, shall revert to
 24 3 the fund from which appropriated on September 30, ~~1992~~ **1994**.

CODE: Extends the date for reversion of funds for
 the construction of the Maquoketa field facility to
 September 30, 1994.

24 4 Sec. 39. 1990 Iowa Acts, chapter 1267, section 9,
 24 5 subsection 2, is amended to read as follows:
 24 6 2. To be used to implement section 306D.3:
 24 7 \$ 500,000
 24 8 Notwithstanding section 8.33, the funds appropriated in
 24 9 this subsection shall remain available for obligation until
 24 10 June 30, ~~1992~~ 1993, and once obligated shall remain available
 24 11 until expended. Public or private entities willing to donate
 24 12 land for scenic highway projects shall be given preference in
 24 13 project selection if the land is accepted by the department.

CODE: Extends the reversion date for funds appropriated for development of Scenic Highway Projects to June 30, 1993.

24 14 Sec. 40. 1991 Iowa Acts, chapter 268, section 507,
 24 15 unnumbered paragraph 2, is amended to read as follows:
 24 16 The provisions of section 8.33 do not apply to the funds
 24 17 appropriated by ~~subsection~~ subsections 8 and 9, but remain
 24 18 available for expenditure for the purposes designated until
 24 19 June 30, 1995. Unencumbered or unobligated funds remaining on
 24 20 June 30, 1995, from funds appropriated by ~~subsection~~
 24 21 subsections 8 and 9, for the fiscal year beginning July 1,
 24 22 1991, shall revert to the fund from which appropriated on
 24 23 August 30, 1995.

CODE: Extends the date for the reversion of funds for the removal of asbestos at the DOT Complex in Ames to August 30, 1995.

..

24 24 [Sec. 41. That section of 1992 Iowa Acts, Senate File 2354,
 24 25 which amends 1990 Iowa Acts, chapter 1234, section 76, as
 24 26 amended by 1991 Iowa Acts, chapter 213, section 35, is
 24 27 repealed 4

VETOED

CODE: Repeals the July 1, 1994, sunset of workers' compensation insurance regulation by the Insurance Division of the Department of Commerce.

VETOED: The Governor vetoed this provision stating that this would repeal the extension of the sunset on workers' compensation insurance rate regulation and by disapproving this provision, the regulation will sunset July 1, 1994.

24 28 Sec. 42: LITIGATION EXPENSE FUND RECOMMENDATIONS. The
 24 29 legislative fiscal committee shall request the attorney
 24 30 general's office to make recommendations as to the potential ..
 24 31 for recoupment of costs expended from the litigation expense

Requires the Legislative Fiscal Committee to request that the Attorney General's Office make recommendations regarding the recoupment of cost related to the Litigation Expense Fund. Requires the

24 32 fund under section 37 of this Act. The legislative fiscal
 24 33 bureau and the legislative service bureau shall work in
 24 34 cooperation with the attorney general's office. The
 24 35 recommendations shall be presented to the legislative council
 25 1 and the members of the transportation and safety
 25 2 appropriations subcommittee on or before January 15, 1993.

Legislative Fiscal and Service Bureaus to cooperate
 with the Attorney General's Office in this matter.
 Requires a report to be provided by January 15, 1993.

25 3 Sec. 43. Section 307.39, Code 1991, is repealed.

CODE: Eliminates the requirement that the DOT
 maintain a maintenance facility in all counties with
 a population greater than 8,000.

NOTE: House File 2462 (Economic Development.
 Appropriations Bill) reinstates the language which
 requires that a maintenance facility be located in
 counties with a population greater than 8,000;
 however, the Governor vetoed this provision.

25 4 Sec. 44. Chapter 307D, Code 1991, is repealed.

CODE: Eliminates language establishing the Iowa
 Highway Research Board.

25 5 Sec. 45. Sections 12, 38 and 40 of this Act, being deemed
 25 6 of immediate importance, take effect upon enactment.

Provides that certain sections of this Act become
 effective upon enactment. These include:

1. Section 12, which places a moratorium on the
 placement and removal of tourist-oriented signs
 within the Amana Colonies.
2. Section 38, which extends the date of reversion
 of funds for the construction of the Maquoketa
 maintenance facility.
3. Section 40, which extends the date of reversion
 of funds for the removal of asbestos at the DOT
 Complex in Ames.

25 7 Sec. 46. Sections 27 and 28 of this Act take effect on
 25 8 July 1, 1993.

Provides that certain sections of this Act become
 effective on July 1, 1993. These include Sections 27
 and 28 which eliminate the hold harmless requirement
 on the distribution of Farm-to-Market and Secondary

PG LN	Senate File 2345	Explanation
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Road Funds to counties.

25 9 SF 2345
25 10 js/cc/26

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MISCELLANEOUS APPROPRIATIONS SUMMARY

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**EXECUTIVE SUMMARY
HOUSING ASSISTANCE ALLOCATIONS BILL**

HOUSE FILE 2344

**FEDERAL HOUSING ASSISTANCE
PROGRAM**

• Requires that funds allocated by the Iowa Finance Authority for housing assistance include money to pay for all expenses including administrative expenses. Requires that no more than 20.0% of the allocation be used for administrative purposes.

**EXECUTIVE SUMMARY
RETIREMENT BILL**

HOUSE FILE 2450

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

**PEACE OFFICERS RETIREMENT
SYSTEM (CHAPTER 97A)**

**IOWA PUBLIC EMPLOYEES
RETIREMENT SYSTEM (CHAPTER
97B)**

**MUNICIPAL FIRE AND POLICE
RETIREMENT SYSTEM OF IOWA
(CHAPTER 411)**

• This bill was amended by SF 2393, the Second Extrordinary Session Bill, to specify that Section 73 regarding senior judges become effective January 1, 1993.

*Allows members with **22** years of service, who qualify for accidental ~~or~~ ordinary disability retirement, to retire under regular retirement with no reduction for age **less than 55** if the benefits are greater than for disability retirement.

*Requires the Iowa Public Employees Retirement System (IPERS) ~~Trust~~ Fund Administration be exempt from any across-the-board cut by the Governor.

• Defines temporary employees as persons who work **less than 1,040** hours in a calendar **year** or who are employed for 6 months or less. Community college ~~adjunct~~ instructors who teach less than half a regular teaching load during a school year are specifically defined as **temporary**. The definition change makes more employees eligible for IPERS membership.

*Permits community college employees who elect to participate in ~~an~~ alternative retirement system to withdraw their IPERS contributions.

*Permits employees of the Board of Trustees of the Municipal Fire and Police Retirement System to elect coverage under IPERS.

• Extends protection occupation coverage to Fire Prevention ~~Inspector~~ Peace ~~Officers~~ employed by the Department of Public Safety.

• Continues the retirement dividend at the current level through 1993.

• Changes the definition of bona fide retirement so that the retiree must receive retirement benefits for at least **4** months before returning to covered employment.

• Increases the monthly benefit by \$10.00 for teachers and superintendents retired prior to July **4**, 1953, and for persons receiving benefits from the Iowa Old-Age and Survivors' ~~Insurance~~ (IOAST) Liquidation Fund.

-Allows members with **22** years of service, who qualify for ~~accidental~~ or **ordinary** disability retirement, to retire under regular retirement with no reduction for age **less than 55** if the benefits are greater than for disability retirement.

**EXECUTIVE SUMMARY
RETIREMENT BILL**

SENIOR JUDGE PROGRAM

- Permits creation of optional forms of benefits payments that **are actuarially** equivalent to established benefits.
- Permits a judge, age **55** and older with **20** consecutive years of service, to retire early **and receive an annuity** that is decreased to be the actuarial equivalent of **an annuity** under regular retirement.
- Caps the increase to **the** Senior Judge and Retired Senior Judge annuities at the level in effect **when** the judge **becomes 78** years old. The cap applies to the senior judges who retire **after June 30, 1992**.

Creates a standing unlimited appropriation from the General Fund to pay the costs of additional benefits resulting from the Senior Judge Act. *This item was vetoed by the Governor.*

FISCAL IMPACT: The additional benefits are estimated to cost approximately \$262,000 in FY 1993.

GOVERNOR'S VETOES

- The Governor vetoed the standing unlimited appropriation for the benefits **from the Senior Judge Act**, stating the General Assembly has **been** eliminating standing unlimited appropriations to regain control of government spending and that it is inconsistent to establish a new standing unlimited appropriation.

EXECUTIVE SUMMARY JUVENILE JUSTICE BILL

HOUSE FILE 2452

NEW PROGRAMS, SERVICES OR ACTIVITIES

Provides that \$200,000 of existing federal funding shall be used by ~~the Iowa Finance~~ Authority to provide **10** additional shelter care beds for juveniles who are homeless, abandoned, abused, have ~~run~~ away from home, or are otherwise unable to remain in their home. (Page 3, Line 16)

*Appropriates \$29,000 to the Department of Public Safety to expand the Drug Abuse Resistance Education (D.A.R.E.) Program. This programming is provided to ~~fifth~~ and sixth grade children by law enforcement officials within local communities. (Page 3, Line 30) *This item was vetoed by the Governor.*

*Appropriates \$50,000 to the Department of Human Services (DHS) for pilot family-centered programs for runaways in Woodbury and Polk Counties. The programs are required to use a family-oriented approach designed to assist families in dealing with runaways. (Page 4, Line 7) *This item was vetoed by the Governor.*

•Appropriates \$125,000 to the DHS for a centralized juvenile intake center in Polk County. The facility is required to serve as a central location for the placement prior to adjudication of juveniles involved in delinquency or Child In Need of Assistance (CINA) proceedings. (Page 4, Line 30) *This item was vetoed by the Governor.*

•Appropriates \$75,000 to the Judicial Department (JD) for a summer work and learn alternative program for inner city youth in Sioux City. The model project is required to have the support and involvement of existing community programs, provide educational and career development programming, and have a duration of at least **10** weeks. (Page 5, Line 20) *This item was vetoed by the Governor.*

•Appropriates \$4.0 million to the JD for Court-Ordered Services for Juveniles. NOTE: Repeals the appropriation and language in SF 2355 to the DHS for this purpose. (Page 1, Line 1) *This item was vetoed by the Governor.*

•Permits continuing juvenile court jurisdiction over persons who turn **18** years of age for up to **3** years, for purposes of participation in a Youthful Offender program. (Page 9, Line 12) *This item was vetoed by the Governor.*

•Provides that repeated incidents of runaway behavior which meet specified time standards are grounds for adjudicating a child as CINA, eligible for in-home or foster care services. (Page 8, Line 31 and Page 15, Line 17) *This item was vetoed by the Governor.*

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

SIGNIFICANT CHANGES TO THE CODE OF IOWA

**EXECUTIVE SUMMARY
JUVENILE JUSTICE BILL**

HOUSE FILE 2452

STUDIES AND INTENT LANGUAGE

GOVERNOR'S VETOES

•Creates a new class 'D' felony for persons who use a juvenile to commit certain specified offenses. (Page 18, Line 23)

•Creates a Youthful Offender Program for 80 delinquent children over the age of 16 who would qualify for placement at the State Training School at Eldora. The effective date for creation of the Program is July 1, 1993. (Page 20, Line 30) *This item was vetoed by the Governor.*

•Revises the legal definitions of the various classes of burglary. (Page 32, Line 25)

*Requires the Department of Human Rights, Division of Criminal and Juvenile Justice Planning to coordinate the development of a multi-agency database to track the progress of juveniles through various State and local agencies and programs. (Page 28, Line 30)

•Requests the Legislative Council to negotiate with the Annie E. Casey Foundation to perform a study on juvenile justice issues. (Page 37, Line 22)

•The Governor vetoed language moving Court Ordered Services for Juveniles from the DHS to the JD. The Governor stated that the JD does not have sufficient staff to provide these services. (Page 1, Line 1)

•The Governor vetoed appropriations and related language expanding Drug Abuse Resistance Education programs (\$29,000) and establishing pilot programs for runaways in Polk and Woodbury Counties (\$50,000), a Centralized Juvenile Intake Center in Polk County (\$125,000), and Summer Work and Learn Program in Sioux City (\$75,000). The Governor stated that the financial condition of the State does not allow establishment of these new programs. (Page 3, Line 30; Page 4, Line 7; Page 4, Line 30; and Page 5, Line 20)

•The Governor vetoed language expanding the definition of CINA to include children who repeatedly runaway from their home or placement. The Governor stated that funds had not been appropriated for this purpose. (Page 8, Line 31 and Page 15, Line 17)

•The Governor vetoed language providing that county attorneys would receive 35.0% of funds collected on the State's behalf from parents for payment of court ordered services. The Governor stated that county attorneys should receive refunds only for the collection of delinquent payments. (Page 16, Line 10)

**EXECUTIVE SUMMARY
JUVENILE JUSTICE BILL****HOUSE FILE 2452**

- The Governor vetoed language providing that the State must ~~pay~~ for ~~the~~ costs of detaining juveniles for ~~more~~ than **72** hours. The Governor stated that funds had not ~~been~~ appropriated for this purpose, and that the cost is estimated to be nearly **\$900,000**. (Page **18**, Line **13**)
- The Governor vetoed language establishing a Youthful Offender Program. The Governor stated that the cost of this Program could be ~~as~~ much ~~as~~ **\$4.0** million annually, ~~and~~ that funds had not been appropriated for this purpose. (Page 20, Line 30)
- The Governor vetoed language providing that ~~the~~ educational ~~costs~~ ~~of~~ foster care children ~~placed~~ in out-of-state group homes must be paid from funds appropriated ~~to~~ the **School** Foundation Program. The Governor stated that funds are currently available from ~~moneys~~ appropriated to Court Ordered Services for Juveniles. (Page **24**, Line 6)
- ~~The~~ Governor vetoed language providing for establishment of a new Juvenile **Court** Judges Commission. The Governor stated that existing groups are available to provide these services. (page **31**, Line **11**)

House File 2452 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	12	1.1	Nwthstnd	Sec. 232.141 & All	Court-Ordered Services
1	12	1.5	Nwthstnd	Sec. 232 & All	Limits on Judicial Authority
1	12	1.6	Nwthstnd	Sec. All	Counties Not Required to Pay
6	20	7	Amends	Sec. 123.46(4)	Exoneration and Expungement
6	33	8	Amends	Sec. 123.47	Liquor to Certain Minors
7	17	9	Amends	Sec. 123.47A	Liquor to Certain Minors
8	21	10	Amends	Sec. 232.2(4)(f)	Case Permanency Plans
				Code Supplement 1991	
8	31	11	Adds	Sec. 232.2(6)(o)	Runaways Eligible for CINA
				Code Supplement 1991	
9	5	12	Adds	Sec. 232.8(6)	Supreme Court Rules on Venue
				Code Supplement 1991	
9	12	13	Adds	Sec. 232.8(7)	Extended Jurisdiction
				Code Supplement 1991	
9	20	14	Amends	Sec. 232.22(1)	Standards for Using Detention
				Code Supplement 1991	
10	9	15	Adds	Sec. 232.22(1)(e)	Standards for Using Detention
				Code Supplement 1991	
10	31	16	Amends	Sec. 232.35(3)	Inform County Attorneys
11	16	17	Amends	Sec. 232.45A(2) & (3)	Waiver to Adult Court
				Code Supplement 1991	
11	35	18	Adds	Sec. 232.50	Extended Jurisdiction
12	23	19	Adds	Sec. 232.52(2)(d)(4)	Youthful Offender Program
				Code Supplement 1991	
12	34	20	Amends	Sec. 232.52(2)(e)	Grounds for Eldora Placement
				Code Supplement 1991	
13	14	21	Amends	Sec. 232.52(6)	Indep. Living & Financial Aid
				Code Supplement 1991	
13	26	22	Adds	Sec. 232.52(10)	Extended Jurisdiction

Page #	Line #	Bill Section	Action	Code Section Changed	Description
				Code Supplement 1991	
13	26	23	Adds	Sec. 232.53(2)	Extended Jurisdiction
13	26	24	Adds	Sec. 232.53(5)	Extended Jurisdiction
13	26	25	Adds	Sec. 232.54(7)	Extended Jurisdiction
15	17	26	Amends	Sec. 232.102(6)	Not Place Runaways in Eldora
				Code Supplement 1991	
15	25	27	Amends	Sec. 232.116(1)(d)(2)	Termination of Parent Rights
15	25	28	Amends	Sec. 232.116(1)(e)(3)	Termination of Parent Rights
15	25	29	Amends	Sec. 232.116(1)(g)(3)	Termination of Parent Rights
16	10	30	Amends	Sec. 232.141(1)	County Attorney Recoveries
17	3	31	Amends	Sec. 232.141(5)	Court-Ordered Services
17	30	32	Amends	Sec. 232.141(8)	Cnty. Payment for Foster Care
18	13	33	Adds	Sec. 232.142(6)	DHS Pays Pending Placement
				Code Supplement 1991	
18	23	34	Adds	Sec. 233.6	Using Juveniles for Crimes
19	1	35	Adds	Sec. 234.50	Youthful Offender Committee
19	1	36	Adds	Sec. 234.51	Youthful Offender Committee
19	1	37	Adds	Sec. 234.52	Youthful Offender Committee
20	30	38	Adds	Sec. 234.53	Youthful Offender Program
23	1	39	Adds	Sec. 237.3	Resid. Treatment Admin. Rules
23	13	40	Amends	Sec. 237.15(1)(i)	Higher Ed. Financial Aid
				Code Supplement 1991	
23	23	41	Amends	Sec. 242.13	Youthful Offender Program
23	32	42	Adds	Sec. 261.2(15)	College Aid Commission Duties
24	6	43	Adds	Sec. 282.29	Out-of-State Fstr. Care Educ.
24	20	44	Amends	Sec. 321.178(1)	Driver's Ed. Substance Abuse
				Code Supplement 1991	
24	35	45	Adds	Sec. 321J.23	Reality Education Programs
24	35	46	Adds	Sec. 321J.24	Reality Education Programs
28	16	47	Amends	Sec. 601K.133(1)	Juvenile Justice Planning
28	16	48	Amends	Sec. 601K.135	Juvenile Justice Planning
28	16	49	Amends	Sec. 601K.138	Juvenile Justice Planning
30	2	50	Amends	Sec. 602.1301(1)	Court-Ordered Services
				Code Supplement 1991	
30	2	51	Amends	Sec. 602.1301(2)(a)	Court-Ordered Services
				Code Supplement 1991	

Page #	Line #	Bill Section	Action	Code Section Changed	Description
30	2	52	Amends	Sec. 602.1301(2)(b) Code Supplement 1991	Court-Ordered Services
30	25	53	Amends	Sec. 602.6405(1) Code supplement 1991	Magistrates' Jurisdiction
31	11	54	Adds	Sec. 602.7301	Juvenile Court Judges Comm.
31	11	55	Adds	Sec. 602.7302	Juvenile Court Judges Comm.
32	15	56	Amends	Sec. 657.2(6)	Definition of Nuisances
32	25	57	Amends	Sec. 713.3	Burglary Provisions
32	25	58	Amends	Sec. 713.4	Burglary Provisions
32	25	59	Amends	Sec. 713.5	Burglary Provisions
32	25	60	Amends	Sec. 713.6	Burglary Provisions
32	25	61	Adds	Sec. 713.6A	Burglary Provisions
32	25	62	Adds	Sec. 713.68	Burglary Provisions
32	25	63	Amends	Sec. 713.7	Burglary Provisions
34	27	64	Amends	Sec. 805.8(10)	Alcoholic Beverage Violations
34	32	65	Amends	Sec. 910A.14(1 & 2)	Protection of Witnesses
34	32	66	Amends	Sec. 910A.15	Protection of Witnesses
37	33	69	Repeals	Sec. 16, SF 2355 1992 Iowa Acts	Court-Ordered Services

1 1 [Section 1. COURT-ORDERED SERVICES PROVIDED TO JUVENILES. **VETOED**
 1 2 There is appropriated from the general fund of the state to
 1 3 the judicial department for the fiscal year beginning July 1,
 1 4 1992, and ending June 30, 1993, in addition to other
 1 5 appropriations made to the department for that fiscal year,
 1 6 the following amount, or so much thereof as is necessary, to
 1 7 be used for the purpose designated:
 1 8 Payment of the expenses of court-ordered services provided
 1 9 to juveniles which are a charge upon the state pursuant to
 1 10 section 232.141, subsection 4:
 1 11 \$ 3,990,000

General Fund appropriation to the Judicial Department (JD) for the cost of court-ordered services provided to juveniles.

DETAIL: This is an Increase of \$390,313 compared to the estimated net FY 1992 appropriation. This program was administered by the Department of Human Services (DHS) in FY 1992.

VETOED: The Governor vetoed this appropriation, stating that the JD does not have sufficient staff to provide these services.

1 12 1. Notwithstanding section 232.141 or any other provision
 1 13 of law, the funds appropriated in this section shall be
 1 14 allocated to the judicial districts as determined by the state
 1 15 court administrator. The state court administrator shall make
 1 16 the determination on the allocations on or before June 15,
 1 17 1992.

CODE: Specifies administration of the court-ordered services provided to juveniles Program. Continues the same structure as used in FY 1992, except that the JD will administer the Program.

1 18 2. Each judicial district shall continue the planning
 1 19 group for the court-ordered services for juveniles provided in
 1 20 that district which was established pursuant to 1991 Iowa
 1 21 Acts, chapter 267, section 119. A planning group shall
 1 22 continue to perform its duties as specified in that law.
 1 23 Reimbursement rates for providers of court-ordered evaluation
 1 24 and treatment services paid under section 232.141, subsection
 1 25 4, shall be negotiated with providers by each judicial
 1 26 district's planning group.

VETOED: The Governor vetoed this language, stating that the JD does not have sufficient staff to provide these services.

1 27 Each district planning group shall submit an annual report
 1 28 in January 1993 to the state court administrator and the
 1 29 department of human services. The report shall cover the
 1 30 preceding fiscal year and shall include a preliminary report
 1 31 on the current fiscal year. The administrator shall compile
 1 32 these reports and submit the reports to the chairpersons and
 1 33 ranking members of the joint justice appropriations
 1 34 subcommittee and the legislative fiscal bureau.

1 35 3. The judicial department shall develop policies and
 2 1 procedures to ensure that the funds appropriated in this
 2 2 section are spent only after all other reasonable actions have
 2 3 been taken to utilize other funding sources and community-
 2 4 based services. The policies and procedures shall be designed
 2 5 to achieve the following objectives relating to services
 2 6 provided under chapter 232:

2 7 a. Maximize the utilization of funds which may be
 2 8 available from the medical assistance program including usage
 2 9 of the early and periodic screening, diagnosis, and treatment
 2 10 (EPSDT) program.

2 11 b. Recover payments from any third-party insurance carrier
 2 12 which is liable for coverage of the services, including health
 2 13 insurance coverage.

2 14 c. Pursue development of agreements with regularly
 2 15 utilized out-of-state service providers which are intended to
 2 16 reduce per diem costs paid to those providers.

2 17 4. The judicial department, in consultation with the
 2 18 department of human services and the judicial district
 2 19 planning groups, shall compile a monthly report describing
 2 20 spending in the districts for court-ordered services for
 2 21 juveniles, including the utilization of the medical assistance
 2 22 program. The reports shall be submitted on or before the
 2 23 twentieth day of each month to the chairpersons and ranking
 2 24 members of the joint justice appropriations subcommittee and
 2 25 the legislative fiscal bureau.

2 26 5. Notwithstanding chapter 232 or any other provision of
 2 27 law, a district or juvenile court shall not order any service
 2 28 which is a charge upon the state pursuant to section 232.141
 2 29 if there are insufficient court-ordered services funds
 2 30 available in the district allocation to pay for the service.
 2 31 The chief juvenile court officer shall work with the judicial
 2 32 district planning group to encourage use of the funds
 2 33 appropriated in this section such that there are sufficient
 2 34 funds to pay for all court-related services during the entire
 2 35 year. The eight chief juvenile court officers shall attempt
 3 1 to anticipate potential surpluses and shortfalls in the

Miscellaneous Appropriation Bills	Appropriation Adjustments	Extraordinary Sessions	Ways and Means Summaries	Legislative Fiscal Bureau Reports
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3 2 allocations and shall cooperatively request the state court
 3 3 administrator to transfer funds between the districts'
 3 4 allocations as prudent.
 3 5 6. Notwithstanding any provision of law to the contrary, a
 3 6 district or juvenile court shall not order a county to pay for
 3 7 any service provided to a juvenile pursuant to an order
 3 8 entered under chapter 232 which is a charge upon the state
 3 9 under section 232.141, subsection 4.

3 10 7. Of the funds appropriated in this section, up to
 3 11 \$200,000 may be used by the judicial department for
 3 12 administration of the requirements under this section and for
 3 13 travel associated with court-ordered placements which are a
 3 14 charge upon the state pursuant to section 232.141, subsection
 3 15 4.]

3 16 Sec. 2. HOMELESS, ABUSED, AND RUNAWAY JUVENILES. Of the
 3 17 moneys appropriated under the federal National Affordable
 3 18 Housing Act of 1990 and received in the fiscal year beginning
 3 19 July 1, 1991, \$200,000 shall be used in order to provide at
 3 20 least 10 new shelter care beds for juveniles who are homeless,
 3 21 abandoned, abused, have run away from home, or are otherwise
 3 22 unable to safely remain in their home and who are not provided
 3 23 services by the department of human services or the court at
 3 24 the time the shelter care begins. The grants shall be awarded
 3 25 in accordance with federal requirements in order to provide
 3 26 the beds in the-areas of the state with the greatest
 3 27 proportion of juveniles who are at risk of being homeless,
 3 28 abandoned, abused, or otherwise unable to remain safely in
 3 29 their home.

3 30 [Sec. 3. DRUG ABUSE RESISTANCE EDUCATION. There is
 3 31 appropriated from the general fund of the state to the
 3 32 department of public safety for the fiscal year beginning July
 3 33 1, 1992, and ending June 30, 1993, in addition to other
 3 34 appropriations made for the following purpose for that fiscal
 3 35 year, the following amount, or so much thereof as is
 4 1 necessary, to be used for the purpose designated:

VETOED

Requires that \$200,000 of the federal funding received under the federal National Affordable Housing Act of 1990 by the Iowa Finance Authority shall be used to provide at least 10 new shelter care beds for juveniles who meet specified criteria. Specifies priorities for which areas of the State shall receive the grants for the additional beds.

DETAIL: The cost of 10 new beds is estimated to be \$270,000, assuming that the new beds receive the maximum allowable reimbursement rate. That portion of the cost of these beds which is not funded with federal dollars will be borne by the General Fund appropriation for foster care.

General Fund appropriation to the Department of Public Safety for law enforcement participation in a drug abuse resistance education project targeted at fifth and sixth grade students.

DETAIL: This appropriation is in addition to \$28,584 contained in SF 2345 (Transportation and Safety

4 2 For use by the department to provide law enforcement
4 3 officials for project D.A.R.E. (drug abuse resistance
4 4 education) within local communities targeted to fifth and
4 5 sixth grade students:

4 6 \$ 28,500]

4 7 [Sec. 4. PILOT PROGRAMS FOR RUNAWAYS. There is
4 8 appropriated from the general fund of the state to the
4 9 department of human services for the fiscal year beginning
4 10 July 1, 1992, and ending June 30, 1993, the following amounts,
4 11 or so much thereof as is necessary, to be used for the
4 12 purposes designated:

4 13 1. For a pilot program for runaways in Woodbury county:
4 14 \$ 20,000

4 15 2. For a pilot program for runaways in Polk county:
4 16 \$ 30,000

4 17 The pilot programs shall involve joint efforts by local
4 18 courts, law enforcement agencies, shelter care facilities, and
4 19 family-centered service providers which contract with the
4 20 department of human services. The programs shall identify
4 21 runaways and children at risk of running away from home and
4 22 shall identify available and needed services. The programs
4 23 shall use a family-oriented approach intended to assist
4 24 families in dealing with the various issues related to
4 25 runaways. The local courts shall cooperate with the programs
4 26 and shall enter appropriate orders to facilitate the
4 27 implementation of the programs and the provision of services
4 28 by the programs to runaways and children at risk of running
4 29 away.]

4 30 [Sec. 5. CENTRALIZED JUVENILE INTAKE CENTER. There is
4 31 appropriated from the general fund of the state to the
4 32 department of human services for the fiscal year beginning
4 33 July 1, 1992, and ending June 30, 1993, in addition to other
4 34 appropriations made to the department for that fiscal year,
4 35 the following amount, or so much thereof as is necessary, to
5 1 be used for the purpose designated:

VETOED

VETOED

Appropriations Bill).

VETOED: The Governor vetoed this appropriation,
stating that the financial condition of the State
does not permit establishment of new programs.

General Fund appropriation to the DHS for pilot
programs for runaways in Woodbury and Polk Counties.
Specifies the contents of the programs and requires
local courts to cooperate with the programs.

DETAIL: This is a new program.

VETOED: The Governor vetoed this appropriation,
stating that the financial condition of the State
does not permit establishment of new programs.

General Fund appropriation to the DHS for development
of a centralized juvenile intake center in Polk
County. Requires the DHS to work with specified
programs to develop and operate the center.
Specifies that juveniles involved in delinquency or
Child in Need of Assistance (CINA) proceedings shall
be placed in the intake center prior to adjudication.

5 2 For the development of a centralized juvenile intake center
 5 3 in a county with a population of more than 300,000, as
 5 4 determined pursuant to the 1990 federal census:
 5 5 \$ 125,000
 5 6 The department of human services shall work with the
 5 7 judicial department, local law enforcement agencies, youth
 5 8 service agencies, and other persons as necessary in the
 5 9 development and operation of a centralized juvenile intake
 5 10 center in a county with a population of more than 300,000, as
 5 11 determined pursuant to the 1990 federal census. The
 5 12 centralized juvenile intake center shall serve as a central
 5 13 location for the placement, prior to adjudication, of
 5 14 juveniles involved in delinquency or child in need of
 5 15 assistance proceedings pursuant to chapter 232. The center
 5 16 shall be staffed by a juvenile court officer and a youth
 5 17 services aide. The center shall be used to provide a safe and
 5 18 secure setting for juveniles prior to adjudication, during the
 5 19 assessment of their cases.⁷

DETAIL: This is a new program.

VETOED: The Governor vetoed this appropriation, stating that the financial condition of the State does not permit establishment of new programs.

5 20 [Sec. 6. SUMMER WORK AND LEARN ALTERNATIVE FOR INNER CITY YOUTH. **VETOED**

General Fund appropriation to the JD for a summer .work and learn alternative for inner city youth, managed by the Sioux City Community School District. Specifies components of the model program.

5 21 1. There is appropriated from the general fund of the
 5 22 state to the judicial department for the fiscal year beginning
 5 23 July 1, 1992, and ending June 30, 1993, in addition to other
 5 24 appropriations made to the department for that fiscal year,
 5 25 the following amount, or so much thereof as is necessary, to
 5 26 be used for the purpose designated:
 5 27

DETAIL: This is a new program.

VETOED: The Governor vetoed this appropriation, stating that the financial condition of the State does not permit establishment of new programs.

5 28 For the award of a grant to a model program managed by the
 5 29 Sioux City community school district, to provide a summer work
 5 30 and learn alternative for inner city youth:

5 31 \$ 75,000

5 32 2. The judicial department shall award a grant to a model
 5 33 program managed by the Sioux City community school district,
 5 34 to provide a summer work and learn alternative for inner city
 5 35 youth. The judicial department shall develop criteria for the
 6 1 operation of the model program. At a minimum, the model
 6 2 program shall do each of the following:

- 6 3 a. Utilize existing resources to the greatest extent
- 6 4 possible.
- 6 5 b. Have the support and involvement of a broad array of
- 6 6 existing community programs.
- 6 7 c. Have a duration of at least ten weeks.
- 6 8 d. Provide a work or community service component.
- 6 9 e. Provide a career development component, including
- 6 10 intensive exploration of work options and related prerequisite
- 6 11 skills.
- 6 12 f. Provide a teaching and learning component, including
- 6 13 reading and language **skills**, mathematics skills, and basic
- 6 14 keyboard and computer literacy.
- 6 15 g. Provide a social skills training component.
- 6 16 h. Provide an athletics and physical fitness component.
- 6 17 i. Provide a health assessment component, including
- 6 18 referral to appropriate health care or service providers.
- 6 19 j. Provide a total program evaluation component.]

6 20 **Sec. 7.** Section 123.46, subsection 4, Code 1991, is
 6 21 amended to read as follows:
 6 22 4. Upon the expiration of two years following conviction
 6 23 for a violation of this section, a person may petition the
 6 24 court to exonerate the person of the conviction, and if the
 6 25 person has had no other criminal convictions, other than
 6 26 simple misdemeanor violations of chapter 321 during the two-
 6 27 year period, ~~the court shall order~~ the person shall be deemed
 6 28 exonerated of the offense ~~and the record expunged as a matter~~
 6 29 ~~of law. Upon entry of an order exonerating the person~~ The
 6 30 court shall enter an order exonerating the person of the
 6 31 conviction, and ordering that the record of the conviction
 6 32 ~~shall~~ be expunged by the clerk of the district court.

CODE: Technical correction concerning exoneration of a person convicted of violating the Alcoholic Beverage Control Act after 2 years, and expungement of the record of the conviction.

6 33 **Sec. 8.** Section 123.47, Code 1991, is amended to read as
 6 34 follows:
 6 35 123.47 **PERSONS UNDER ~~LEGAL~~ THE AGE OF EIGHTEEN.**
 7 1 **A** person shall not sell, give, or otherwise supply
 7 2 alcoholic liquor, wine, or beer to any person knowing or

CODE: Technical correction concerning furnishing alcoholic beverages to persons under the age of 18.

7 3 having reasonable cause to believe that person to be under
 7 4 ~~legal~~ the age of eighteen, and a person or persons under ~~legal~~
 7 5 the age of eighteen shall not individually or jointly have
 7 6 alcoholic liquor, wine, or beer in their possession or
 7 7 control; except in the case of liquor, wine, or beer given or
 7 8 dispensed to a person under ~~legal~~ the age of eighteen within a
 7 9 private home and with the knowledge and consent of the parent
 7 10 or guardian for beverage or medicinal purposes or as
 7 11 administered to the person by either a physician or dentist
 7 12 for medicinal purposes and except to the extent that a person
 7 13 under ~~legal~~ the age of eighteen may handle alcoholic
 7 14 beverages, wine, and beer during the regular course of the
 7 15 person's employment by a liquor control licensee, or wine or
 7 16 beer permittee under this chapter.

7 17 Sec. 9. Section 123.47A, Code 1991, is amended to read as
 7 18 follows:
 7 19 123.47A PERSONS AGE EIGHTEEN, NINETEEN, AND TWENTY --
 7 20 PENALTY.
 7 21 1. A person shall not sell, give, or otherwise supply
 7 22 alcoholic liquor, wine, or beer to any person knowing or
 7 23 having reasonable cause to believe that the person is age
 7 24 eighteen, nineteen, or twenty. A person age eighteen,
 7 25 nineteen, or twenty shall not purchase or possess alcoholic
 7 26 liquor, wine, or beer. However, a person age eighteen,
 7 27 nineteen, or twenty may possess alcoholic liquor, wine, or
 7 28 beer given to the person within a private home with the
 7 29 knowledge and consent of the person's parent or guardian, and
 7 30 a person age eighteen, nineteen, or twenty may handle
 7 31 alcoholic liquor, wine, and beer during the course of the
 7 32 person's employment by a liquor control licensee, or wine or
 7 33 beer permittee. A person, other than a licensee or permittee,
 7 34 who ~~violates~~ commits a first offense under this section
 7 35 commits a scheduled violation of section 805.8, subsection 10.
 8 1 A person, other than a licensee or permittee, who commits a
 8 2 second or subsequent violation of this section, commits a
 8 3 simple misdemeanor. A licensee or permittee who violates this

CODE: Specifies that second and subsequent offenses of Section 123.47A, Code of Iowa, furnishing alcohol to persons 18, 19 and 20 years of age, will be a simple misdemeanor. Specifies that a first offense of this section continues to be a scheduled violation punishable by a fine of \$15.00. Specifies that any offense of this section by an alcohol licensee or permittee is a simple misdemeanor.

8 4 section with respect to a person who is age nineteen or twenty
 8 5 is guilty of a simple misdemeanor punishable by a fine of not
 8 6 more than fifty dollars. The penalty provided under this
 8 7 section against a licensee or permittee who violates this
 8 8 section with respect to a person who is age nineteen or twenty
 8 9 is the only penalty which shall be imposed against a licensee
 8 10 or permittee who violates this section. A licensee or
 8 11 permittee who violates this section with respect to a person
 8 12 who is age eighteen commits a simple misdemeanor, and is
 8 13 subject to the criminal and civil penalties provided pursuant
 8 14 to sections 123.49 and 123.50 with respect to selling, giving,
 8 15 or otherwise supplying alcoholic beverages, liquor, wine, or
 8 16 beer to persons under legal age.
 8 17 2. For the purpose of determining if a violation charged
 8 18 is a second or subsequent offense, a conviction or plea of
 8 19 guilty to a violation of this section shall be counted as a
 8 20 previous offense.

8 21 10. Section 232.2, subsection 4, paragraph f, Code
 8 22 Supplement 1991, is amended to read as follows:
 8 23 f. When a child is sixteen years of age or older, a
 8 24 written plan of services which, based upon an assessment of
 8 25 the child's needs, would assist the child in preparing for the
 8 26 transition from foster care to independent living. If the
 8 27 child is interested in pursuing higher education, the plan
 8 28 shall provide for the child's participation in the college
 8 29 student aid commission's program of assistance in applying for
 8 30 federal and state aid under section 261.2.

8 31 [Sec. 11. Section 232.2, subsection 6, Code Supplement
 8 32 1991, is amended by adding the following new paragraph:
 8 33 NEW PARAGRAPH. o. Who is voluntarily absent without
 8 34 permission from the child's home or placement for a period of
 8 35 time exceeding one week, or who is voluntarily absent without
 9 1 permission from the child's home or placement for a period of
 9 2 time exceeding twenty-four hours on each of three or more
 9 3 separate occasions in a three-month period, and whose health,

VETOED

CODE: Requires that written case permanency plans for children who are placed out-of-home must provide for the child's participation in college financial aid programs, if the child is over age 16 and is interested in pursuing higher education.

CODE: Specifies that multiple incidents of runaway behavior are grounds for adjudicating a child to be a CINA.

DETAIL: The cost of services provided to runaways will be limited by the caps on group foster care and court-ordered services provided to juveniles. This provision will therefore not result in additional

9 4 safety, and welfare are at risk.]

expenditures but will place additional demands upon a limited amount of services. The State cost of additional court hearings is estimated to be \$250,000.

VETOED: The Governor vetoed this language, stating that funds have not been appropriated to fund the cost of expanding the CINA definition.

9 5 Sec. 12. Section 232.8, Code Supplement 1991, is amended
9 6 by adding the following new subsection:
9 7 NEW SUBSECTION. 6. The supreme court shall prescribe
9 8 rules under section 602.4202 to resolve jurisdictional and
9 9 venue issues when juveniles who are placed in another court's
9 10 jurisdiction are alleged to have committed subsequent
9 11 delinquent acts.

CODE: Requires the Supreme Court to develop rules to resolve jurisdictional and venue issues relating to juveniles who are alleged to have committed subsequent delinquent acts while placed in another court's jurisdiction.

9 12 [Sec. 13. Section 232.8, Code Supplement 1991, is amended
9 13 by adding the following new subsection:
9 14 NEW SUBSECTION. 7. The juvenile court shall retain
9 15 jurisdiction over persons who attain their eighteenth
9 16 birthday, as necessary to effectuate the provisions of
9 17 sections 232.50 and 232.52 through 232.54 pertaining to the
9 18 youthful offender program, for a period of up to three years
9 19 beyond the delinquent's eighteenth birthday.]

VETOED

CODE: Requires a Juvenile Court to retain jurisdiction over persons over age 18 for up to 3 years, if the person is participating in the Youthful Offender program.

DETAIL: The projected cost of adding an estimated 750 cases to juvenile court officers' caseloads is \$970,000 annually, starting in FY 1994.

VETOED: The Governor vetoed this language, stating that funds have not been appropriated for the costs of the Youthful Offender program.

9 20 Sec. 14. Section 232.22, subsection 1, Code Supplement
9 21 1991, is amended to read as follows:
9 22 1. ~~No~~ A child shall ~~not~~ be placed in detention unless ~~one~~
9 23 of the following conditions is met:
9 24 a. The child is being held under warrant for another
9 25 jurisdiction; ~~or;~~
9 26 b. The child is an escapee from a juvenile correctional or

CODE: Technical correction relating to detention standards.

9 27 penal institution; ~~or~~
 9 28 c. There is probable cause to believe that the child has
 9 29 violated conditions of release imposed under section 232.44,
 9 30 subsection 5, paragraph b, 232.52, or 232.54 and there is a
 9 31 substantial probability that the child will run away or
 9 32 otherwise be unavailable for subsequent court appearance; ~~or~~
 9 33 d. There is probable cause to believe the child has
 9 34 committed a delinquent act, and one of the following
 9 35 conditions is met:
 10 1 (1) There is a substantial probability that the child will
 10 2 run away or otherwise be unavailable for subsequent court
 10 3 appearance; ~~or~~
 10 4 (2) There is a serious risk that the child if released may
 10 5 commit an act which would inflict serious bodily harm on the
 10 6 child or on another; ~~or~~
 10 7 (3) There is a serious risk that the child if released may
 10 8 commit serious damage to the property of others.

10 9 Sec. 15. Section 232.22, subsection 1, Code Supplement
 10 10 1991, is amended by adding the following new paragraphs:
 10 11 NEW PARAGRAPH. e. There is probable cause to believe that
 10 12 the child has committed a delinquent act involving possession
 10 13 with intent to deliver any of the following controlled
 10 14 substances:
 10 15 (1) A mixture or substance containing cocaine base, also
 10 16 known as crack cocaine, and if the act was committed by an
 10 17 adult, it would be a violation of section 204.401, subsection
 10 18 1, paragraph a, subparagraph (3), paragraph b,
 10 19 subparagraph (3), or paragraph c, subparagraph (3).
 10 20 (2) A mixture or substance containing cocaine, its salts,
 10 21 optical and geometric isomers, and salts of isomers, and if
 10 22 the act was committed by an adult, it would be a violation of
 10 23 section 204.401, subsection 1, paragraph a, subparagraph
 10 24 (2), subparagraph subdivision (b), paragraph b, subparagraph
 10 25 (2), subparagraph subdivision (b), or paragraph c,
 10 26 subparagraph (2), subparagraph subdivision (b).
 10 27 (3) A mixture or substance containing methamphetamine, its

CODE: Expands the grounds for placing a child in
 detention to include specified offenses relating to
 drugs.

10 28 salts, isomers, and salts of isomers, and if the act was
 10 29 committed by an adult, it would be a violation of section
 10 30 204.401, subsection 1, paragraph c, subparagraph (6).

10 31 Sec. 16. Section 232.35, subsection 3, Code 1991, is
 10 32 amended to read as follows:
 10 33 3. If the intake officer determines that a complaint is
 10 34 not legally sufficient for the filing of a petition or that
 10 35 the filing of a petition would not be in the best interests of
 11 1 the child and the community, the officer shall notify the
 11 2 complainant of the officer's determination and the reasons for
 11 3 such determination, and shall advise the complainant that the
 11 4 complainant may submit the complaint to the county attorney
 11 5 for review. Upon receiving a request for review, the county
 11 6 attorney shall consider the facts presented by the
 11 7 complainant, consult with the intake officer and make the
 11 8 final determination as to whether a petition should be filed.
 11 9 In the absence of a request by the complainant for a review of
 11 10 the intake officer's determination that a petition should not
 11 11 be filed, the officer's determination shall be final, and the
 11 12 intake officer shall inform the county attorney of this
 11 13 decision concerning complaints involving allegations of acts
 11 14 which, if committed by an adult, would constitute an
 11 15 aggravated misdemeanor or a felony.

CODE: Requires intake officers to inform the county attorney if a delinquency petition is not to be filed in specified circumstances.

11 16 Sec. 17. Section 232.45A, subsections 2 and 3, Code
 11 17 Supplement 1991, are amended to read as follows:
 11 18 2. Once a child sixteen years of age or older has been
 11 19 waived to and convicted of a forcible felony ~~or a felony~~
 11 20 violation of section 204.401 or chapter 707 by the district
 11 21 court, all criminal proceedings against the child for any
 11 22 forcible felony or a felony violation of section 204.401 or
 11 23 chapter 707 occurring subsequent to the date of the conviction
 11 24 of the child shall begin in district court, notwithstanding
 11 25 sections 232.8 and 232.45. A copy of the findings required by
 11 26 section 232.45, subsection 8, shall be made a part of the
 11 27 record in the district court proceedings.

CODE: Adds drug offenses, homicide, and related crimes to the list of offenses which cause an automatic waiver to adult court of all subsequent criminal proceedings.

11 28 3. If proceedings against a child for a forcible felony or
 11 29 a felony violation of section 204.401 or chapter 707 who has
 11 30 previously been waived to and convicted of a forcible felony
 11 31 such an offense by the district court are mistakenly begun in
 11 32 the juvenile court, the matter shall be transferred to
 11 33 district court upon the discovery of the prior waiver and
 11 34 conviction, notwithstanding sections 232.8 and 232.45.

11 35 [Sec. 18. Section 232.50, Code 1991, is amended by adding
 12 1 the following new subsection:
 12 2 NEW SUBSECTION. 5. If a child is sixteen years of age or
 12 3 older, at the dispositional hearing, the court shall determine
 12 4 if jurisdiction of the child should be extended beyond the age
 12 5 of eighteen. Extended jurisdiction determinations shall be
 12 6 consistent with the rules and provisions of the youthful
 12 7 offender program as set forth in sections 234.50 through
 12 8 234.53. Subject to the other limitations contained in this
 12 9 subsection, the court may extend jurisdiction for
 12 10 participation in the youthful offender program upon finding
 12 11 each of the following:
 12 12 a. The child is sixteen years of age or older and would
 12 13 qualify for placement at the state training school pursuant to
 12 14 section 232.52, subsection 2, paragraph e.
 12 15 b. The child falls within the other qualifications and
 12 16 limitations of the youthful offender progra'm pursuant to
 12 17 section 234.53. *
 12 18 c. Participation in the youthful offender program is
 12 19 necessary for the rehabilitation of the child.
 12 20 Upon finding each of the factors listed in paragraphs a
 12 21 through c, the court shall provide equal access to the
 12 22 youthful offender program.]

VETOED

CODE: Permits a court to extend jurisdiction over children past the age of 18, for participation in the Youthful Offender Program. Requires specified findings prior to extended jurisdiction.

VETOED: The Governor vetoed this language, stating that funds had not been appropriated for the costs of the Youthful Offender Program.

12 23 [Supple Sec. 19. Section 232.52, subsection 2, paragraph d, Code
 12 24 Supplement 1991, is amended by adding the following new
 12 25 subparagraph:
 12 26 NEW SUBPARAGRAPH. (4) The department of human services
 12 27 for purposes of placement at a youthful offender program

VETOED

CODE: Permits a court to enter a dispositional order committing a child to the DHS for purposes of placement at a Youthful Offender Program, if the delinquent meets specified qualifications.

12 28 facility established pursuant to section 234.53. In addition
 12 29 to making each of the findings specified in section 232.50,
 12 30 subsection 5, prior to transferring custody for placement in a
 12 31 youthful offender program facility, the court must find that
 12 32 the delinquent meets the qualifications for placement in such
 12 33 a facility pursuant to section 234.53, subsection 6.]

VETOED: The Governor vetoed this language, stating that funds had not been appropriated for the costs of the Youthful Offender Program.

12 34 Sec. 20. Section 232.52, subsection 2, paragraph e,
 12 35 unnumbered paragraph 1, Code Supplement 1991, is amended to
 13 1 read as follows:

CODE: Adds drug offenses, homicide, and related crimes to the grounds for placement at the State Training School at Eldora.

13 2 An order transferring the guardianship of the child,
 13 3 subject to the continuing jurisdiction and custody of the
 13 4 court for the purposes of section 232.54, to the director of
 13 5 the department of human services for purposes of placement in
 13 6 the state training school or other facility, provided that the
 13 7 child is at least twelve years of age and the court finds the
 13 8 placement to be in the best interests of the child or
 13 9 necessary for the protection of the public, and that the child
 13 10 has been found to have committed an act which is a forcible
 13 11 felony, as defined in section 702.11, or a felony violation of
 13 12 section 204.401 or chapter 707, or the court finds any three
 13 13 of the following conditions exist:

13 14 Sec. 21. Section 232.52, subsection 6, unnumbered
 13 15 paragraph 2, Code Supplement 1991, is amended to read as
 13 16 follows:

CODE: Requires the written case permanency plan to provide for a child's participation in financial aid programs, if the child is moving out of group foster care and is interested in pursuing higher education.

13 17 When the court orders the transfer of legal custody of a
 13 18 child pursuant to subsection 2, paragraph d, and the child
 13 19 is sixteen years of age or older, the order shall specify the
 13 20 services needed to assist the child in preparing for the
 13 21 transition from foster care to independent living. If the
 13 22 child is interested in pursuing higher education, the plan
 13 23 shall provide for the child's participation in the college
 13 24 student aid commission's program of assistance in applying for
 13 25 federal and state aid under section 261.2.

13 26 [Sec. 22. Section 232.52, Code Supplement 1991, is amended

VETOED

CODE: Technical changes pertaining to extended

13 27 by adding the following new subsection:
 13 28 NEW SUBSECTION. 10. If the court has determined that
 13 29 jurisdiction of the delinquent is to be extended beyond the
 13 30 age of eighteen pursuant to section 232.50, subsection 5, or
 13 31 section 232.54, subsection 7, for participation in the
 13 32 youthful offender program, any of the dispositions provided in
 13 33 this section may be ordered. All conditions and requirements
 13 34 affecting court orders, dispositions, or dispositional reviews
 13 35 in this section shall apply to an order or proceeding

14 1 involving a person over whom jurisdiction has ~~been extended~~
 14 2 for participation in the youthful offender program.

14 3 Sec. 23 Section 232.53, subsection 2, Code 1991, is **VETOED**
 14 4 amended to read as follows:

14 5 2. ~~At~~ Except as otherwise specifically provided in
 14 6 subsection 5, all dispositional orders entered prior to the
 14 7 child attaining the age of seventeen years and six months
 14 8 shall automatically terminate when the child becomes eighteen
 14 9 years of age. Dispositional orders entered subsequent to the
 14 10 child attaining the age of seventeen years and six months and
 14 11 prior to the child's eighteenth birthday shall automatically
 14 12 terminate one year after the date of disposition, except as
 14 13 otherwise provided in extending jurisdiction for participation
 14 14 in the youthful offender program pursuant to section 232.50,
 14 15 subsection 5, or section 232.54, subsection 7. In the case of
 14 16 an adult within the jurisdiction of the court under the
 14 17 provisions of section 232.8, subsection 1, the dispositional
 14 18 order shall automatically terminate one year after the last
 14 19 date upon which jurisdiction could attach.

14 20 Sec. 24. Section 232.53, Code 1991, is **VETOED**
 14 21 the following new subsection:

14 22 NEW SUBSECTION. 5. Notwithstanding any other provision of
 14 23 this section or any other law to the contrary, a disposition
 14 24 over a person as to whom the court has extended its
 14 25 jurisdiction pursuant to section 232.50, subsection 5, or
 14 26 section 232.54, subsection 7, for participation in the
 14 27 youthful offender program, may remain in effect for a period
 14 28 of up to three years from the person's eighteenth birthday,

jurisdiction.

VETOED: The Governor vetoed this language, stating that funds had not been appropriated for the costs of the Youthful Offender Program.

14 29 unless the time period would be in excess of the maximum
 14 30 possible duration of the sentence which may be imposed on an
 14 31 adult for the commission of the act which the person has been
 14 32 found by the court to have committed.]

14 33 [Sec. 25. Section 232.54, Code 1991, is amended by adding
 14 34 the following new subsection:

VETOED

14 35 NEW SUBSECTION. 7. Upon application of a juvenile court
 15 1 officer, the department, 8 person or agency to whom custody
 15 2 has been transferred, the child who is the subject of the
 15 3 order, or upon its own motion, the court may order the
 15 4 jurisdiction of the child to be extended beyond the person's
 15 5 eighteenth birthday in order for the person to participate in
 15 6 the youthful offender program, and may continue or modify the
 15 7 current dispositional order or enter a substituted
 15 8 dispositional order. The court shall not grant the
 15 9 application unless the court finds each of the criteria
 35 10 established in section 232.50, subsection 5. The continued or
 15 11 modified dispositional order or substituted dispositional
 15 12 order shall follow the qualifications, conditions, and
 15 13 limitations set forth in section 232.53, subsection 5, and
 15 14 sections 232.50 through 232.53. Notice shall be afforded all
 15 15 parties, and a hearing shall be held at the request of any
 15 16 party or upon the court's own motion.]

15 17 [Sec. 26. Section 232.102, subsection 6, Code Supplement
 i 5 18 1991, is amended to read as follows:

VETOED

15 19 6. The child shall not be placed in the state training
 15 20 school. Moreover, a child who is a child in need of
 15 21 assistance solely due to the fact that the child falls within
 15 22 the definition as set forth in section 232.2, subsection 6,
 15 23 paragraph o, shall not be placed in the state training
 15 24 school or the Iowa juvenile home.]

CODE: Prohibits a child adjudicated CINA solely due to multiple incidents of runaway behavior from being placed in the State Training School at Eldora or the Iowa Juvenile Home at Toledo.

VETOED: The Governor vetoed this language, stating that funds had not been appropriated for the cost of expanding the CINA definition.

15 25 Sec. 27. Section 232.116, subsection 1, paragraph d,
 15 26 subparagraph (2), Code 1991, is amended to read as follows:
 15 27 (2) The ~~custody of the~~ child has been ~~transferred~~ removed
 15 28 from the physical custody of the child's parents ~~for placement~~

CODE: Technical changes pertaining to timing of termination of parental rights.

15 29 ~~pursuant to section 232.102 and the placement has lasted~~ for a
15 30 period of at least six consecutive months.

15 31 Sec. 28. Section 232.116, subsection 1, paragraph e,
15 32 subparagraph (3), Code 1991, is amended to read as follows:

15 33 (3) The ~~custody of the~~ child has been ~~transferred~~ removed
15 34 from the physical custody of the child's parents ~~for placement~~
15 35 ~~pursuant to section 232.102~~ for at least twelve of the last
16 1 eighteen months, or for the last twelve consecutive months and
16 2 any trial period at home has been less than thirty days.

16 3 Sec. 29. Section 232.116, subsection 1, paragraph g,
16 4 subparagraph (3), Code 1991, is amended to read as follows:

16 5 (3) The ~~custody of the~~ child has been ~~transferred~~ removed
16 6 from the physical custody of the child's parents ~~for placement~~
16 7 ~~pursuant to section 232.102~~ for at least six months of the
16 8 last twelve months, or for the last six consecutive months and
16 9 any trial period at home has been less than thirty days.

16 10 [Sec. 30. Section 232.141, subsection 1, Code 1991, is **VETOED**
16 11 amended to read as follows:

16 12 1. Except as otherwise provided by law, the court shall
16 13 inquire into the ability of the child or the child's parent to
16 14 pay expenses incurred pursuant to subsection 2 and subsection
16 15 4 and, after giving the parent a reasonable opportunity to be
16 16 heard, the court may order the parent to pay all or part of
16 17 the costs of the child's care, examination, treatment, legal
16 18 expenses, or other expenses. An order entered under this
16 19 section does not obligate a parent paying child support under
16 20 a custody decree, except that part of the monthly support
16 21 payment may be used to satisfy the obligations imposed by the
16 22 order entered pursuant to this section. If a parent fails to
16 23 pay as ordered, without good reason, the court may proceed
16 24 against the parent for contempt and may inform the county
16 25 attorney who shall proceed against the parent to collect the
16 26 unpaid amount. Any payment ordered by the court shall be a
16 27 judgment against each of the child's parents and a lien as .
16 28 provided in section 624.23. If all or part of the amount that
16 29 the parents are ordered to pay is subsequently paid by the

CODE: Requires that county attorneys who assist in the collection of funds from parents of children receiving child welfare services shall be paid 35.0% of all funds collected by the State.

VETOED: The Governor vetoed this language, stating that county attorneys should receive refunds only for the collection of delinquent payments.

16 30 county or state, the judgment and lien shall thereafter be
 16 31 against each of the parents in favor of the county to the
 16 32 extent of the county's payments and in favor of the state to
 16 33 the extent of the state's payments. If the county attorney
 16 34 assists in the collection of funds, the judicial department
 16 35 shall refund to the county attorney thirty-five percent of all
 17 1 funds collected on the state's behalf, to defray the expenses
 17 2 of collection.]

17 3 [Sec. 31. Section 232.141, subsection 5, Code 1991, is
 17 4 amended to read as follows:
 17 5 5. If no other provision of law requires the county to
 17 6 reimburse costs incurred pursuant to subsection 4, the
 17 7 judicial department shall reimburse the costs as follows:
 17 8 a. The judicial department shall prescribe by
 17 9 ~~administrative~~ rule all services eligible for reimbursement
 17 10 pursuant to subsection 4 and shall establish an allowable rate
 17 11 of reimbursement for each service.
 17 12 b. The judicial department shall receive billings for
 17 13 services provided and, after determining allowable costs,
 17 14 shall reimburse providers at a rate which is not greater than
 17 15 allowed by ~~administrative~~ rule. Reimbursement paid to a
 17 16 provider by the judicial department shall be considered
 17 17 reimbursement in full unless a county voluntarily agrees to
 17 18 pay any difference between the reimbursement amount and the
 17 19 actual cost. When there are specific program regulations
 17 20 prohibiting supplementation those regulations shall be applied
 17 21 to providers requesting supplemental payments from a county.
 17 22 Billings for services not listed ~~in administrative~~ by rule
 17 23 shall not be paid. However, ~~if the court orders may order a~~
 17 24 ~~service not currently listed in administrative by rule, the~~
 17 25 ~~department shall review the order and, if the court finds that~~
 17 26 reimbursement for the service of the judicial department is
 17 27 not in conflict with other law or ~~administrative~~ rule, and
 17 28 meets the criteria of subsection 4, in which case the judicial
 17 29 department shall reimburse the provider.]

VETOED

CODE: Technical changes pertaining to the transfer of administration of the Court-Ordered Services Provided to Juveniles Program from the DHS to the JD.

VETOED: The Governor vetoed this language, stating that the JD does not have sufficient staff to provide these services.

17 30 Sec. 32. Section 232.141, subsection 8, if enacted by 1992
 17 31 Iowa Acts, House File 2480, section 8, is amended to read as
 17 32 follows:
 17 33 8. This subsection applies ~~only~~ to placements in a
 17 34 juvenile shelter care home which is publicly owned, operated
 17 35 as a county or multicounty shelter care home, or organized
 18 1 under a chapter 28E agreement. ~~If the department's~~
 18 2 ~~reimbursement for~~ the allowable costs of a child's shelter
 18 3 care placement exceeds the amount the department is authorized
 18 4 to pay, accordance with law and administrative rule, the
 18 5 unpaid costs may be recovered from the child's county of legal
 18 6 settlement. The unpaid costs are payable pursuant to filing
 18 7 of verified claims against the county of legal settlement. A
 18 8 detailed statement of the facts upon which a ~~claims~~ claim is
 18 9 based shall accompany the claim. Any dispute between counties
 18 10 arising from filings of claims pursuant to this subsection
 18 11 shall be settled in the manner provided to determine legal
 18 12 settlement in section 230.12.

18 13 [Sec. 33. Section 232.142, Code Supplement 1991, is amended
 18 14 by adding the following new subsection:
 18 15 NEW SUBSECTION. 6. If a child has been adjudicated
 18 16 delinquent and is remaining in a county detention home
 18 17 awaiting placement, if the child remains in the detention home
 18 18 seventy-two hours after the first dispositional hearing after
 18 19 adjudication, the department shall reimburse the county for
 18 20 any period from that time forward in which the child remains
 18 21 in the detention home, at the rate established by the
 18 22 detention home for holding juveniles from another county.]

18 23 Sec. 34. NEW SECTION. 233.6 USING A JUVENILE TO COMMIT

CODE: Amends HF 2480 (Child Welfare Statutory Bill), to limit county obligations for costs of private shelter care which exceed the amount the DHS is authorized to pay.

NOTE: House File 2480 had required counties to pay the excess costs of all shelter care. This language was repealed in SF 2385 (Foster and Shelter Care Bill), and was replaced by language obligating counties for the excess costs of all shelter care, regardless of the provider.

VETOED

CODE: Requires the DHS pay the costs of children who remain in county detention facilities for more than 72 hours after the first dispositional hearing after adjudication.

DETAIL: These provisions will cause the State to pay for out-of-home placements which are in addition to the group foster care cap. This will reduce the funds which are available for services designed to prevent group foster care placements. The amount of this reduction cannot be estimated from available data.

VETOED: The Governor vetoed this language, stating that no funds had been appropriated for the cost of paying for the out-of-home placements.

CODE: Provides a new criminal offense covering

18 24 CERTAIN OFFENSES.

18 25 1. As used in this section, unless the context otherwise
18 26 requires, profit means a monetary gain, monetary advantage,
18 27 or monetary benefit.

18 28 2. It is unlawful for a person to act with, enter into a
18 29 common scheme or design with, conspire with, recruit or use a
18 30 person under the age of eighteen, through threats, monetary
18 31 payment, or other means, to commit an indictable offense for
18 32 the profit of the person acting with, entering into the common
18 33 scheme or design with, conspiring with, recruiting or using
18 34 the juvenile. A person who violates this section commits a
18 35 class D felony.

19 1 [Sec. 35. NEW SECTION. 234.50 YOUTHFUL OFFENDER ADVISORY
19 2 COMMITTEE ESTABLISHED -- RULES.

VETOED

19 3 1. The department of human services shall establish a
19 4 youthful offender advisory committee. The advisory committee
19 5 shall consist of nine members, with five voting members as
19 6 follows:

19 7 a. A representative of the department of human services,
19 8 appointed by the director.

19 9 b. A representative of the judicial department, appointed
19 10 by the chief justice of the supreme court.

19 11 c. A representative of the division of criminal and
19 12 juvenile justice planning of the department of human rights,
19 13 appointed by the administrator of the division of criminal and
19 14 juvenile justice planning.

19 15 d. A representative of the department of corrections,
19 16 appointed by the director of the department of corrections.

19 17 e. A representative of youth service providers, appointed
19 18 by the director of the department of human services from a
19 19 list of names provided by youth service providers.

19 20 The nonvoting members of the advisory committee shall be
19 21 two state representatives, one appointed by the speaker of the
19 22 house of representatives and one by the minority leader of the
19 23 house, and two state senators, one appointed by the majority
19 24 leader of the senate and one by the minority leader of the

persons who use a juvenile to commit an indictable
criminal offense. Requires that conviction of the
new offense shall be a Class D felony.

CODE: Requires the DHS to establish a Youthful
Offender Advisory Committee. Specifies the
membership, rules, administrative activities, and
duties.

VETOED: The Governor vetoed this language, stating
that no funds had been appropriated for the cost of
the Youthful Offender Program.

19 25 senate.
 19 26 2. Except as otherwise provided for the initial
 19 27 appointments, voting members shall be appointed for four-year
 19 28 terms and nonvoting members shall be appointed for two-year
 19 29 terms, commencing on May 1 in the year of appointment and
 19 30 expiring on April 30 in the year of expiration. A member
 19 31 shall serve no more than two consecutive terms, excluding the
 19 32 terms of the initial advisory committee.

19 33 3. Vacancies shall be filled in the same manner as
 19 34 original appointments. A vacancy shall be filled for the
 19 35 unexpired term.

20 1 4. The advisory committee shall elect a chairperson from
 20 2 among its own voting members.

20 3 5. Voting members of the advisory committee shall be paid
 20 4 their actual and necessary expenses incurred in the
 20 5 performance of their duties as provided in section 7E.6.
 20 6 Nonvoting members shall be paid their actual and necessary
 20 7 expenses from the funds appropriated under section 2.12.

20 8 6. The advisory committee shall meet at least every other
 20 9 month and may hold special meetings on the call of the
 20 10 chairperson or as requested by a quorum of the advisory
 20 11 committee. A majority of the voting members shall constitute
 20 12 a quorum.

20 13 7. The department of human services shall adopt rules as
 20 14 necessary for the operation of the advisory committee in the
 20 15 performance of its duties.

20 16 [Sec. 36. NEW SECTION. 234.51 ADMINISTRATIVE ACTIVITIES. VETOED
 20 17 The administrative functions and staff services of the
 20 18 youthful offender advisory committee shall be performed by the
 20 19 department of human services. The advisory committee shall be
 20 20 located in the department of human services offices.]

20 21 [Sec. 37. NEW SECTION. 234.52 DUTIES OF ADVISORY VETOED
 20 22 COMMITTEE.]

20 23 The youthful offender advisory committee shall do all of
 20 24 the following:

20 25 1. Establish a youthful offender program as provided in
 20 26 this chapter.

20 27 2. Annually report the results of its activities to the
20 28 governor and the general assembly.

20 29 3. Perform other duties as specified by law. 7

20 30 [Sec. 38. NEW SECTION. 234.53 YOUTHFUL OFFENDER PROGRAM.

20 31 1. As used in this section, unless the context otherwise
20 32 requires, youthful offender means a person who is sixteen
20 33 years of age or older, who is subject to delinquency
20 34 proceedings of the juvenile court pursuant to chapter 232, and
20 35 who would qualify for placement at the state training school
21 1 pursuant to section 232.52, subsection 2, paragraph e.

21 2 2. The youthful offender advisory committee shall
21 3 establish a youthful offender program. The youthful offender
21 4 program shall be designed to meet the needs of eighty youthful
21 5 offenders, with a limit of ten youthful offenders from each
21 6 judicial district, on or before October 1, 1993.

21 7 3. The youthful offender program shall be designed to meet
21 8 the needs of youthful offenders with intensive programming
21 9 needs, including but not limited to youthful offenders having
21 10 a dual diagnosis.

21 11 4. The advisory committee may establish youthful offender
21 12 program facilities in more than one location, and may include
21 13 public and private facilities. The department of human
21 14 services shall assist the advisory committee by issuing
21 15 requests for proposals and entering into contracts with other
21 16 state agencies,, political subdivisions, or others, including
21 17 private individuals or entities, to establish youthful
21 18 offender program facilities, as determined necessary by the
21 19 advisory committee. In addition, if the advisory committee
21 20 determines that a youthful offender program facility should be
21 21 operated by the department of human services, and a facility
21 22 is available to meet the needs of the youthful offender
21 23 program as designed by the advisory committee, the department
21 24 of human services shall operate a youthful offender program
21 25 facility and include the youthful offender program facility. in
21 26 the department's budget proposals.

21 27 5. If the court orders a youth adjudicated as delinquent

CODE: Requires the establishment of a Youthful Offender Program designed to meet the needs of youthful offenders with intensive programming needs, including dual diagnosis youthful offenders. Specifies procedures pertaining to the Program and criteria for placement.

DETAIL: The language establishing this Program is not effective until July 1, 1993.

VETOED: The Governor vetoed this language, stating that no funds had been appropriated for the cost of the Youthful Offender Program.

VETOED

21 28 placed in a youthful offender program facility, the youth may
 21 29 be transferred originally to the diagnosis and evaluation
 21 30 center at the state training school at Eldora for the
 21 31 identification of appropriate treatment needs. Upon
 21 32 undergoing an initial diagnosis and evaluation screening at
 21 33 the state training school, the department of human services
 21 34 shall place the youthful offender in a youthful offender
 21 35 program facility or file a motion with the court to modify the
 22 1 dispositional order.

22 2 6. a. The court shall not order a person under the age of
 22 3 eighteen placed in a youthful offender program facility unless
 22 4 the child meets the qualification and limitations specified in
 22 5 this section, and the court finds each of the following:

22 6 (1) Placement in the youthful offender program facility is
 22 7 necessary for the rehabilitation of the child.

22 8 (2) Placement in the youthful offender program facility is
 22 9 in the best interests of the child and the community.

22 10 b. In making the determination as to whether a child
 22 11 should be placed in a youthful offender program facility
 22 12 pursuant to paragraph a, the court shall examine the
 22 13 following factors:

22 14 (1) The nature of the delinquent act and the circumstances
 22 15 under which it was committed.

22 16 (2) The nature and extent of the child's prior contacts
 22 17 with juvenile authorities, including past efforts of such
 22 18 authorities to treat and rehabilitate the child and the
 22 19 response to such efforts.

22 20 (3) The programs, facilities, and personnel available in
 22 21 the youthful offender program facilities as opposed to other
 22 22 program facilities, and personnel available to the juvenile
 22 23 court for rehabilitation and treatment of the child.

22 24 c. The court shall not order a person eighteen years of
 22 25 age or older to a youthful offender program facility unless
 22 26 the person meets the qualifications and limitations specified
 22 27 in this section, other measures taken have been inadequate to
 22 28 rehabilitate the person, and the court determines that
 22 29 placement in the youthful offender program facility is

22 30 necessary for the rehabilitation of the person.
 22 31 7. The advisory committee shall establish specific
 22 32 guidelines for the youthful offender program facilities to
 22 33 utilize in working with the court to provide follow-up
 22 34 services, transitional services, supervision, and after care
 22 35 for persons released from the facilities.]

23 1 Sec. 39. Section 237.3, Code 1991, is amended by adding
 23 2 the following new subsection:
 23 3 NEW SUBSECTION. 8. The department, in consultation with
 23 4 the judicial department, the division of criminal and juvenile
 23 5 justice planning of the department of human rights,
 23 6 residential treatment providers, the foster care provider
 23 7 association, and other parties which may be affected, shall
 23 8 review the licensing rules pertaining to residential treatment
 23 9 facilities, and examine whether the rules allow the facilities
 23 10 to accept and provide effective treatment to juveniles with
 23 11 serious problems who might not otherwise be placed in those
 23 12 facilities.

CODE: Requires the DHS to examine whether the residential treatment licensing rules allow effective treatment for juveniles with serious problems.

23 13 Sec. 40. Section 237.15, subsection 1, paragraph i, Code
 23 14 Supplement 1991, is amended to read as follows:
 23 15 i. When a child is sixteen years of age or older, a
 23 16 written plan of services which, based upon an assessment of
 23 17 the child's needs, would assist the child in preparing for the
 23 18 transition from foster care to independent living. If the
 23 19 child is interested in pursuing higher education, the plan
 23 20 shall provide for the child's participation in the college
 23 21 student aid commission's program of assistance in applying for
 23 22 federal and state aid under section 261.2.

CODE: Requires written case permanency plans to provide for participation in financial aid programs for higher education, if the child is interested in pursuing such education.

23 23 [Sec. 41. Section 242.13, Code 1991, is amended to read as
 23 24 follows:
 23 25 242.13 BINDING OUT OR DISCHARGE.
 23 26 The binding out ~~or~~ the discharge of an inmate as reformed,
 23 27 or having arrived at the age of eighteen years, shall be a
 23 28 complete release from all penalties incurred by the conviction

VETOED

CODE: Technical change pertaining to the Youthful Offender Program.

VETOED: The Governor vetoed this language, stating that no funds had been appropriated for the cost of the Youthful Offender program.

23 29 for the offense upon which the child was committed to the
 23 30 school, except as otherwise required for participation in the
 23 31 youthful offender program established in section 234.53.]

23 32 **Sec. 42.** Section 261.2, Code 1991, is amended by adding
 23 33 the following new subsection:
 23 34 **NEW SUBSECTION.** 15. Develop and implement, in cooperation
 23 35 with the department of human services and the judicial
 24 1 department, a program to assist juveniles who are sixteen
 24 2 years of age or older and who have a case permanency plan
 24 3 under chapter 232 or 237 or are otherwise under the
 24 4 jurisdiction of chapter 232 in applying for federal and state
 24 5 aid available for higher education.

CODE: Requires the College Student Aid Commission to assist juveniles who have a case permanency plan in applying for student financial aid.

24 6 [**Sec. 43.** Section 282.29, Code 1991, is amended by adding
 24 7 the following new unnumbered paragraph:
 24 8 **NEW UNNUMBERED PARAGRAPH.** If a child who is not identified
 24 9 as requiring special education services is placed for
 24 10 treatment in a facility located outside of this state, the
 24 11 department of revenue and finance shall pay the child's
 24 12 educational costs for the period of time the child is placed
 24 13 at that facility. The payment for the ~~costs~~ shall be based
 24 14 upon the average per **pupil** tuition and transportation costs
 24 15 for the school district in which the facility is located. The
 24 16 amount paid by the department of revenue and finance shall be
 24 17 deducted monthly from the state foundation aid paid under
 24 18 section 257.16 during the **remainder** of the fiscal year to all
 24 19 school districts in the state.]

VETOED

CODE: Requires the Department of Revenue and Finance to pay for educational costs for children not identified as requiring special education costs who are placed in out-of-state foster care. Requires the payment to be based upon the average costs in the school district in which the out-of-state foster care facility is located. Requires the payments to be deducted from the State foundation aid paid to all Iowa school districts.

DETAIL: There are currently 300 children in out-of-state foster care; this number is expected to decrease during FY 1993. All of these children are currently receiving an educational program, but the cost of this program is funded in some cases separately and in some cases as part of the basic payment made to providers. No accurate estimate can be made on the fiscal impact of these provisions.

VETOED: The Governor vetoed this language, stating that funds are currently available to pay for educational programs.

24 20 Sec. 44. Section 321.178, subsection 1, unnumbered
 24 21 paragraph 1, Code Supplement 1991, is amended to read as
 24 22 follows:
 24 23 An approved driver education course as programmed by the
 24 24 department of education shall consist of at least thirty clock
 24 25 hours of classroom instruction, and six or more clock hours of
 24 26 laboratory instruction of which at least three clock hours
 24 27 shall consist of street or highway driving. An approved
 24 28 course shall include a minimum of ~~two~~ four hours of classroom
 24 29 instruction concerning substance abuse as part of its
 24 30 curriculum. After the student has completed three clock hours
 24 31 of street or highway driving and has demonstrated to the
 24 32 instructor an ability to properly operate a motor vehicle and
 24 33 upon written request of a parent or guardian, the instructor
 24 34 may waive the remaining required laboratory instruction.

CODE: Requires an approved driver education course to offer 2 additional hours of classroom instruction concerning substance abuse, for a total of 4 hours.

24 35 Sec. 45. NEW SECTION. 321J.23 LEGISLATIVE FINDINGS.
 25 1 The general assembly finds and declares as follows:
 25 2 1. Drivers often do not realize the consequences of
 25 3 drinking alcohol or using other drugs, and driving a motor
 25 4 vehicle.
 25 5 2. Prompt intervention is needed to protect society,
 25 6 including drivers, from death or serious long-term injury.
 25 7 3. The conviction of a driver for operating while
 25 8 intoxicated identifies that person as a risk to the health and
 25 9 safety of others, as well as to the intoxicated driver.
 25 10 4. Close observation of the effects on others of alcohol
 25 11 and drug use by an intoxicated driver convicted of operating
 25 12 while intoxicated may have a marked effect on recidivism and
 25 13 should therefore be encouraged by the courts.
 25 14 5. The reality education substance abuse prevention
 25 15 program provides guidelines for the operation of an intensive
 25 16 program to discourage recidivism.
 25 17 Sec. 46. NEW SECTION. 321J.24 COURT-ORDERED VISITATION
 25 18 FOR OFFENDERS -- IMMUNITY FROM LIABILITY.
 25 19 1. As used in this section, unless the context otherwise
 25 20 requires:

CODE: Establishes a Reality Education Substance Abuse Program (RESAP) in judicial districts where the chief judge chooses to participate. Permits voluntary participation in the Program as a condition of probation as part of a sentence for operating while intoxicated. Specifies content of the Program.

25 21 a. Appropriate victim means a victim whose condition
 25 22 demonstrates the results of a motor vehicle accident involving
 25 23 intoxicated drivers without being excessively traumatic to the
 25 24 participant, as determined by the tour supervisor.

25 25 b. Participant means a person who is sixteen years of
 25 26 age or older but under the age of twenty-one, and who is
 25 27 ordered by the court to participate in the reality education
 25 28 substance abuse prevention program.

25 29 c. Program means the reality education substance abuse .
 25 30 prevention program.

25 31 d. Program coordinator means a person appointed by the
 25 32 court to coordinate the person's participation in the program.

25 33 e. Tour supervisor means a person selected by a
 25 34 participant's program coordinator to supervise a tour.

25 35 2. A reality education substance abuse prevention program
 26 1 is established in those judicial districts where the chief
 26 2 judge of the judicial district authorizes participation in the
 26 3 program. Upon a conviction or adjudication for a violation of
 26 4 section 321J.2, or the entry of a deferred judgment concerning
 26 5 a violation of section 321J.2, the court or juvenile court,
 26 6 with the consent of the defendant or delinquent child, may
 26 7 order a defendant who is sixteen years of age or older but
 26 8 under the age of twenty-one or delinquent child who is sixteen
 26 9 years of age or older to participate in the reality education
 26 10 substance abuse prevention program as a term and condition of
 26 11 probation or disposition in addition to any other term or
 26 12 condition of probation or disposition required **or** authorized
 26 13 by law. The court or juvenile court shall require the
 26 14 defendant or delinquent child to abstain from consuming any
 26 15 controlled substance, alcoholic liquor, wine, or beer before
 26 16 reaching age twenty-one while participating in the program.
 26 17 3. The court or juvenile court shall consult with the
 26 18 defendant or delinquent child and the defendant's or
 26 19 delinquent child's attorney, if any, and may consult with any
 26 20 other person, including but not limited to the defendant's or
 26 21 delinquent child's parents or other family members, to
 26 22 determine if the defendant or delinquent child is suitable for

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26 23 participation in the program, if the program will be
26 24 educational and meaningful to the defendant or delinquent
26 25 child, and if any physical, emotional, mental, or other
26 26 reasons exist which indicate that the program would be
26 27 inappropriate or would cause any injury to the defendant or
26 28 delinquent child.

26 29 4. The court or juvenile court may appoint a program
26 30 coordinator, to coordinate all tours and select appropriate
26 31 tour supervisors for each tour. The program coordinator shall
26 32 monitor compliance by contacting each tour supervisor
26 33 following the completion of a tour.

26 34 5. The court or juvenile court may include a requirement
26 35 for a supervised educational tour by the defendant or
27 1 delinquent child to any or all of the following:

27 2 a. A hospital or other emergency medical care facility
27 3 which regularly receives victims of motor vehicle accidents,
27 4 to observe treatment of appropriate victims of motor vehicle
27 5 accidents involving intoxicated drivers, under the supervision
27 6 of a registered nurse, physician, paramedic, or emergency
27 7 medical technician.

27 8 b. A facility for the treatment of chemical substance
27 9 abuse as defined in section 125.2, under the supervision of
27 10 appropriately licensed medical personnel.

27 11 c. If approved by the state or county medical examiner, a
27 12 morgue or a similar facility to receive appropriate
27 13 educational material and instruction concerning damage caused
27 14 by the consumption of alcohol or other drugs, under the
27 15 supervision of the county medical examiner or deputy medical
27 16 examiner.

27 17 However, the court or juvenile court shall not order the
27 18 defendant or delinquent child to participate in a supervised
27 19 education tour of a hospital or other facility specified in
27 20 this subsection, unless the hospital or facility agrees to
27 21 participate in the program.

27 22 6. Prior to a tour, the program coordinator shall explain
27 23 and discuss the experiences which may be encountered during
27 24 the tour to the participant. If the program coordinator

27 25 determines at any time before or during a tour that the tour
 27 26 may be traumatic or otherwise inappropriate for the
 27 27 participant, the program coordinator shall terminate the tour
 27 28 without prejudice to the participant.
 27 29 7. The court or juvenile court may order a personal
 27 30 conference after the tours with the participant, the
 27 31 participant's attorney, if any, and any other persons if
 27 32 available and deemed necessary by the court or juvenile court,
 27 33 to discuss the experiences of the participant in the program
 27 34 and how those experiences may impact the participant's
 27 35 conduct. The court or juvenile court may order the
 28 1 participant to write a report or letter concerning the
 28 2 participant's experiences in the program.
 28 3 8. Tour supervisors and facilities toured during the
 28 4 program are not liable for any civil damages resulting from
 28 5 injury to the participant, or civil damages caused by the
 28 6 participant during or from any activities related to a tour,
 28 7 except for willful or grossly negligent acts intended to, or
 28 8 reasonably expected to result in, such injury or damage.
 28 9 9. The court judge of the judicial district shall
 28 10 determine fees to be paid by participants in the program. The
 28 11 judicial department shall use the fees to pay all costs
 28 12 associated with the program. The court shall either require
 28 13 the participant to pay the fee in order to participate in the
 28 14 program, or may waive the fee or collect a lesser amount upon
 28 15 a showing of cause.

28 16 Sec. 47. Section 601K.133, subsection 1, Code 1991, is
 28 17 amended to read as follows:
 28 18 1. Identify issues and analyze the operation and impact of
 28 19 present criminal and juvenile justice policy and make
 28 20 recommendations for policy changes, including recommendations
 28 21 pertaining to efforts to curtail criminal gang activity.
 28 22 Sec. 48. Section 601K.135, Code 1991, is amended by adding
 28 23 the following new unnumbered paragraph:
 28 24 NEW UNNUMBERED PARAGRAPH. Beginning in 1992, the division
 28 25 shall include in the plans, updates, and reports required by

CODE: Requires the Criminal and Juvenile Justice
 Planning Division of the Department of Human Rights
 to make recommendations for curtailing gang activity.
 Requires the Division to identify and evaluate
 existing juvenile treatment programs based upon
 quantifiable goals, using existing computer capacity
 and access. Requires the Division to coordinate
 development of a multi-agency database concerning
 juveniles, and requires specified entities to
 cooperate in this development. Requires the Division

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28 26 this section an identification and evaluation of existing
 28 27 juvenile treatment programs based upon quantifiable goals
 28 28 established by the division, utilizing its existing computer
 28 29 capacity and access.
 28 30 Sec. 49. NEW SECTION. 601K.138 MULTIAGENCY DATA BASE
 28 31 CONCERNING JUVENILES.
 28 32 1. The division shall coordinate the development of a
 28 33 multiagency data base to track the progress of juveniles
 28 34 through various state and local agencies and programs. The
 28 35 division shall develop a plan which utilizes existing data
 29 1 bases, including the Iowa court information system, the
 29 2 federally mandated national adoption and foster care
 29 3 information system, and the other state and local data bases
 29 4 pertaining to juveniles, to the extent possible.
 29 5 2. The department of human services, department of
 29 6 corrections, judicial department, department of public safety,
 29 7 department of education, local school districts, and other
 29 8 state agencies and political subdivisions shall cooperate with
 29 9 the division in the development of the plan.
 29 10 3. The data base shall be designed to track the progress
 29 11 of juveniles in various programs, evaluate the experiences of
 29 12 juveniles, and evaluate the success of the services provided.
 29 13 4. The division shall develop the plan within the context
 29 14 of existing federal privacy and confidentiality requirements.
 29 15 The plan shall build upon existing resources and facilities to
 29 16 the extent possible.
 29 17 5. The plan shall include proposed guidelines for the
 29 18 sharing of information by case management teams, consisting of
 29 19 designated representatives of various state and local agencies
 29 20 and political subdivisions to coordinate the delivery of
 29 21 services to juveniles under the jurisdiction of the juvenile
 29 22 court. The guidelines shall be developed to structure and
 29 23 improve the information-sharing procedures*of case management
 29 24 teams established pursuant to any applicable state or federal
 29 25 law or approved by the juvenile court with respect to a
 29 26 juvenile who is the recipient of the case management team
 29 27 services. The plan shall also contain proposals for changes

to submit a report to the General Assembly by January
 15, 1994 concerning the database.

29 28 in state laws or rules to facilitate the exchange of
 29 29 information among members of case management teams.
 29 30 6. If the division has insufficient funds and resources to
 29 31 implement this section, the division shall determine what, if
 29 32 any, portion of this section may be implemented, and the
 29 33 ~~remain~~ or this section shall not apply.
 29 34 7. The division shall submit a report on the plan required
 29 35 by this section to the general assembly on or before January
 30 1 15, 1994.

30 2 [Sec. 50. Section 602.1301, subsection 1, Code Supplement
 30 3 1991, is amended to read as follows:

VETOED

CODE: Technical changes pertaining to the transfer of administration of the Court-Ordered Services Provided for Juveniles Program to the JD.

30 4 1. The supreme court shall prepare an annual operating
 30 5 budget for the department, which shall include the
 30 6 department's expenses pursuant to section 232.141, and shall
 30 7 submit a budget request to the general assembly for the fiscal
 30 8 period for which the general assembly is appropriating funds.

VETOED: The Governor vetoed this language, stating that the JD does not have sufficient staff to provide these services.

30 9 [Sec. 51. Section 602.1301, subsection 2, paragraph a, Code
 30 10 Supplement 1991, is amended by adding the following new
 30 11 subparagraph:

VETOED

30 12 NEW SUBPARAGRAPH. (10) Expenses for court-ordered
 30 13 services provided to juveniles pursuant to section 232.141.

30 14 [Sec. 52. Section 602.1301, subsection 2, paragraph b, Code
 30 15 Supplement 1991, is amended to read as follows:

VETOED

30 16 b. Before December 1, the supreme court shall submit to
 30 17 the director of management an estimate of the total
 30 18 expenditure requirements of the judicial department, including
 30 19 expenditures pursuant to section 232.141. The director of
 30 20 management shall submit this estimate received from the
 30 21 supreme court to the governor for inclusion without change in
 30 22 the governor's proposed budget for the succeeding fiscal year.
 30 23 The estimate shall also be submitted to the chairpersons of
 30 24 the committees on appropriations.]

30 25 Sec. 53. Section 602.6405, subsection 1, Code Supplement
 30 26 1991, is amended to read as follows:

CODE: Technical change concerning magistrates' jurisdiction involving persons 18 years of age.

30 27 1. Magistrates have jurisdiction of simple misdemeanors,

30 28 including traffic and ordinance violations, and preliminary
 30 29 hearings, search warrant proceedings, county and municipal
 30 30 infractions, and small claims. Magistrates have jurisdiction
 30 31 to exercise the powers specified in sections 644.2 and 644.12,
 30 32 and to hear complaints or preliminary informations, issue
 30 33 warrants, order arrests, make commitments, and take bail.
 30 34 Magistrates have jurisdiction over violations of ~~section~~
 30 35 ~~123.47 involving persons eighteen years of age, and~~ section
 31 1 123.49, subsection 2, paragraph h. Magistrates who are
 31 2 admitted to the practice of law in this state have
 31 3 jurisdiction over all proceedings for the involuntary
 31 4 commitment, treatment, or hospitalization of individuals under
 31 5 chapters 125 and 229, except as otherwise provided under
 31 6 section 229.6A; nonlawyer magistrates have jurisdiction over
 31 7 emergency detention and hospitalization proceedings under
 31 8 sections 125.91 and 229.22. Magistrates have jurisdiction to
 31 9 conduct hearings authorized under section 809.4 and section
 31 10 809.10, subsection 2.

31 11 [Sec. 54 NEW SECTION. 602.7301 JUVENILE COURT JUDGES
 31 12 COMMISSION ESTABLISHED.

31 13 1. A juvenile court judges commission is established
 31 14 within the judicial department.
 31 15 2. The commission shall consist of five justices, district
 31 16 judges, and district associate judges and four juvenile court
 31 17 referees appointed by the governor from a list submitted by
 31 18 the chief justice of the supreme court. Of the original
 31 19 commission members, three shall be appointed for a term of
 31 20 three years, three for a term of two years, and three for a
 31 21 term of one year, as specified by the governor. Thereafter,
 31 22 members shall serve for a term of three years. Vacancies on
 31 23 the commission shall be filled for the unexpired term in the
 31 24 same manner as the original appointment. Annually, the
 31 25 commission shall select from its members a chairperson and a
 31 26 secretary. Five members shall constitute a quorum.
 31 27 3. Members of the commission shall serve without
 31 28 compensation, but shall receive actual and necessary expenses,

VETOED

CODE: Requires the establishment of a Juvenile Court Judges Commission in the JD. Specifies membership and duties of the Commission.

VETOED: The Governor vetoed this language, stating that existing groups are available to provide these services.

31 29 including travel, at the state rate.
 31 30 4. The commission shall meet on the call of the
 31 31 chairperson or a majority of the members. The commission
 31 32 shall meet at least on a quarterly basis.
 31 33 **Sec. 55. NEW SECTION. 602.7302 DUTIES OF COMMISSION.**
 31 34 The juvenile court judges commission shall do all of the
 31 35 following:
 32 1 1. Advise juvenile court judges and referees in all
 32 2 matters pertaining to the proper care and maintenance of
 32 3 delinquent children.
 32 4 2. Examine the administrative methods and procedures used
 32 5 in juvenile courts throughout the state, establish proposed
 32 6 standards, and make recommendations to the supreme court.
 32 7 3. Examine the personnel practices and employment
 32 8 standards used concerning juvenile courts and probation
 32 9 services, and make recommendations to the supreme court.
 32 10 4. Collect, compile, and publish such statistical and
 32 11 other data as may be needed to accomplish reasonable and
 32 12 efficient administration of the juvenile courts, in
 32 13 cooperation with the division of criminal and juvenile justice
 32 14 planning of the department of human rights.

VETOED

32 15 Sec. 56. Section 657.2, subsection 6, Code 1991, is
 32 16 amended to read as follows:
 32 17 6. Houses of ill fame, kept for the purpose of
 32 18 prostitution and lewdness, gambling houses, places resorted to
 32 19 by persons participating in criminal gang activity prohibited
 32 20 by chapter 723A, or places resorted to by persons using
 32 21 controlled substances, as defined in section 204.101,
 32 22 subsection 6, in violation of law, or houses where
 32 23 drunkenness, quarreling, fighting, or breaches of the peace
 32 24 are carried on or permitted to the disturbance of others.

CODE: Specifies that places used by criminal gang members are nuisances which can be prevented in court by civil remedies.

32 25 Sec. 57. Section 713.3, Code 1991, is amended to read as
 32 26 follows:
 32 27 713.3 BURGLARY IN THE FIRST DEGREE.
 32 28 A person commits burglary in the first degree if, while

CODE: Modifies the definitions of burglary.

DETAIL: These changes are estimated to reduce the population of the prison system by 471 inmates by the

32 29 perpetrating a burglary in or upon an occupied structure in
 32 30 which persons are present, the person has ~~in the person's~~
 32 31 possession of an explosive ~~or~~ incendiary device or material,
 32 32 or a dangerous weapon, or intentionally or recklessly inflicts
 32 33 bodily injury on any person. Burglary in the first degree is
 32 34 a class B felony.

32 35 **Sec. 58.** Section 713.4, Code 1991, is amended to read as
 33 1 follows:

33 2 713.4 ATTEMPTED BURGLARY IN THE FIRST DEGREE.

33 3 A person commits attempted burglary in the first degree if,
 33 4 while perpetrating an attempted burglary in or upon an
 33 5 occupied structure in which persons are present, the person
 33 6 has possession of an explosive or incendiary device or
 33 7 material, or a dangerous weapon, or intentionally or
 33 8 recklessly inflicts ~~physical~~ bodily injury on any person.
 33 9 Attempted burglary in the first degree is a class C felony.

33 10 **Sec. 59.** Section 713.5, Code 1991, is amended by striking
 33 11 the section and inserting in lieu thereof the following:

33 12 713.5 BURGLARY IN THE SECOND DEGREE.

33 13 A person commits burglary in the second degree in either of
 33 14 the following circumstances:

33 15 1. While perpetrating a burglary in or upon an occupied
 33 16 structure in which no persons are present, the person has
 33 17 possession of an explosive ~~or~~ incendiary device or material,
 33 18 or a dangerous weapon, or a bodily injury results to any
 33 19 person.

33 20 2. While perpetrating a burglary in ~~or~~ upon an occupied
 33 21 structure in which persons are present, the person does not
 33 22 have possession of an explosive or incendiary device or
 33 23 material, nor a dangerous weapon, and no bodily injury is
 33 24 caused to any person.

33 25 Burglary in the second degree is a class C felony.

33 26 **Sec. 60.** Section 713.6, Code 1991, is amended by striking
 33 27 the section and inserting in lieu thereof the following:

33 28 713.6 ATTEMPTED BURGLARY IN THE SECOND DEGREE.,

33 29 A person commits attempted burglary in the second degree in
 33 30 either of the following circumstances:

end of FY 1995. Probation caseloads are expected to increase by 54 clients, and the number of people in county jails is expected to increase by 46 people. This assumes that 95.0% of Burglary-2nd convictions would become Burglary-3rd convictions, and all Possession of Burglar Tools convictions would be aggravated misdemeanor convictions and not Burglary convictions.

33 31 1. While Perpetrating an attempted burglary in or upon an
 33 32 occupied structure in which no persons are present, the person
 33 33 has possession of an explosive or incendiary device or
 33 34 material, or a dangerous weapon, or a bodily injury results to
 33 35 any person.

34 1 2. While perpetrating an attempted burglary in or upon an
 34 2 occupied structure in which persons are present, the person
 34 3 does not have possession of an explosive or incendiary device
 34 4 or material, nor a dangerous weapon, and no bodily injury is
 34 5 caused to any person.

34 6 Attempted burglary in the second degree is a class D
 34 7 felony.

34 8 Sec. 61. NEW SECTION. 713.6A BURGLARY IN THE THIRD
 34 9 DEGREE.

34 10 All burglary which is not burglary in the first degree or
 34 11 burglary in the second degree is burglary in the third degree.
 34 12 Burglary in the third degree is a class D felony.

34 13 Sec. 62. NEW SECTION. 713.6B ATTEMPTED BURGLARY IN THE
 34 14 THIRD DEGREE.

34 15 All attempted burglary which is not attempted burglary in
 34 16 the first degree or attempted burglary in the second degree is
 34 17 attempted burglary in the third degree. Attempted burglary in
 34 18 the third degree is an aggravated misdemeanor.

34 19 Sec. 63. Section 713.7, Code 1991, is amended to read as
 34 20 follows:

34 21 713.7 POSSESSION OF BURGLAR'S TOOLS.

34 22 Any person who possesses any key, tool, instrument, device
 34 23 or any explosive, with the intent to use it in the

34 24 perpetration of a burglary, ~~shall be guilty of possessing~~

34 25 ~~burglar's tools. Possessing burglar's tools is a class C~~

34 26 ~~felony~~ commits an aggravated misdemeanor.

34 27 Sec. 64. Section 805.8, subsection 10, Code 1991, is
 34 28 amended to read as follows:

34 29 10. ALCOHOLIC BEVERAGE VIOLATIONS. For violations of

34 30 section 123.47A, which constitute first offenses as provided

34 31 in that section, the scheduled fine is fifteen dollars.

CODE: Provides that only first offenses of alcoholic
 beverage laws are scheduled violations.

34 32 Sec. 65. Section 910A.14, subsections 1 and 2, Code 1991,
 34 33 are amended to read as follows:

34 34 1. A court may, upon its own motion or upon motion of any
 34 35 party, order that the testimony of a child minor, as defined
 35 1 in section ~~702-5~~ 599.1, be taken in a room other than the
 35 2 courtroom and be televised by closed circuit equipment in the
 35 3 courtroom to be viewed by the court. Only the judge, parties,
 35 4 counsel, persons necessary to operate the equipment, and any
 35 5 person whose presence, in the opinion of the court, would
 35 6 contribute to the welfare and well-being of the child minor
 35 7 may be present in the room with the child minor during the
 35 8 child's minor's testimony. In addition, upon a finding of
 35 9 necessity, the court may allow the testimony of a victim or
 35 10 witness with a mental illness, mental retardation, or other
 35 11 developmental disability to be taken as provided in this
 35 12 subsection, regardless of the age of the victim or witness.

35 13 2. The court may, upon its own motion or upon motion of a
 35 14 party, order that the testimony of a child minor, as defined
 35 15 in section ~~702-5~~ 599.1, be taken by recorded deposition for
 35 16 use at trial, pursuant to rule of criminal procedure 12(2)(b).
 35 17 In addition to requiring that such testimony be recorded by
 35 18 stenographic means, the court may on motion and hearing, and
 35 19 upon a finding that the child minor is unavailable as provided
 35 20 in Iowa rules of evidence 804(a), order the videotaping of the
 35 21 child's minor's testimony for viewing in the courtroom by the
 35 22 court. The videotaping shall comply with the provisions of
 35 23 rule of criminal procedure 12(2)(b), and shall be admissible
 35 24 as evidence in the trial of the cause. In addition, upon a
 35 25 finding of necessity, the court may allow the testimony of a
 35 26 victim or witness with a mental illness, mental retardation,
 35 27 or other developmental disability to be taken as provided in
 35 28 this subsection, regardless of the age of the victim or
 35 29 witness.

35 30 Sec. 66. Section 910A.15, unnumbered paragraph 1, Code
 35 31 1991, is amended to read as follows:

35 32 A prosecuting witness who is a child, as defined in section

CODE: Permits a judge to take testimony outside the courtroom when the witness is a minor, or when the victim or witness suffers from mental illness, mental retardation, or developmental disability. Permits use of recorded depositions to protect these persons. Permits appointment of a guardian ad litem in specified circumstances for prosecuting witnesses between the ages of 14 and 18.

35 33 702.5, in a case involving a violation of chapter 709 or
 35 34 section 726.2, 726.3, 726.6, or 728.12, is entitled to have
 35 35 the witness's interests represented by a guardian ad litem at
 36 1 all stages of the proceedings arising from such violation.
 36 2 The guardian ad litem shall be a practicing attorney and shall
 36 3 be designated by the court after due consideration is given to
 36 4 the desires and needs of the child and the compatibility of
 36 5 the child and the child's interests with the prospective
 36 6 guardian ad litem. If a guardian ad litem has previously been
 36 7 appointed for the child in a proceeding under chapter 232 or a
 36 8 proceeding in which the juvenile court has waived jurisdiction
 36 9 under section 232.45, the court shall appoint the same
 36 10 guardian ad litem under this section. The guardian ad litem
 36 11 shall receive notice of and may attend all depositions,
 36 12 hearings and trial proceedings to support the child and
 36 13 advocate for the protection of the child but shall not be
 36 14 allowed to separately introduce evidence or to directly
 36 15 examine or cross-examine witnesses. However, the guardian ad
 36 16 litem shall file reports to the court as required by the
 36 17 court. If a prosecuting witness is fourteen, fifteen,
 36 18 sixteen, or seventeen years of age, and would be entitled to
 36 19 the appointment of a guardian ad litem if the prosecuting
 36 20 witness were a child, the court may appoint a guardian ad
 36 21 litem if the requirements for guardian ad litem in this
 36 22 section are met, and the guardian ad litem agrees to
 36 23 participate without compensation.

36 24 [Sec. 67. INITIAL YOUTHFUL OFFENDER ADVISORY COMMITTEE --
 36 25 IMPLEMENTATION -- EFFECTIVE DATE. **VETOED**

36 26 1. In order to effectuate the purposes of this Act and to
 36 27 implement the provisions of this Act pertaining to the
 36 28 youthful offender advisory committee by July 1, 1992, the
 36 29 department of human services shall coordinate the
 36 30 establishment of the initial youthful offender advisory
 36 31 committee. The initial youthful offender advisory committee
 36 32 shall be appointed in the manner specified in the section of
 36 33 this Act establishing a new section 234.50, subsection 1, and

Requires the DHS to coordinate the establishment of
 the initial Youthful Offender Advisory Committee.
 Specifies the terms of the initial members of the
 Committee.

VETOED: The Governor vetoed this language, stating
 that funds had not been appropriated for the costs of
 the Youthful Offender Program,

36 34 the appointing entities shall cooperate with the department of
 36 35 human services to establish the initial youthful offender
 37 1 advisory committee by July 1, 1992.
 37 2 2. The terms of the initial members of the advisory
 37 3 committee shall commence on July 1, 1992, and expire as
 37 4 follows:
 37 5 a. For the representative of the department of human
 37 6 services, on April 30, 1993.
 37 7 b. For the representative of the judicial department, on
 37 8 April 30, 1994.
 37 9 c. For the representative of the division of criminal and
 37 10 juvenile justice planning, on April 30, 1995.
 37 11 d. For the representative of the department of corrections
 37 12 and the representative of youth service providers, on April
 37 13 30, 1996.
 37 14 e. For the nonvoting legislative members, on April 30,
 37 15 1993.
 37 16 3. The department of human services shall provide
 37 17 administrative services as are necessary to implement this
 37 18 section. The department shall coordinate the first meetings
 37 19 of the initial advisory committee.
 37 20 4. This section, being deemed of immediate importance,
 37 21 shall take effect upon enactment.]

37 22 Sec. 68. JUVENILE JUSTICE STUDY. The legislative council
 37 23 is requested to negotiate a contract with the Annie E. Casey
 37 24 Foundation to conduct a comprehensive study concerning the
 37 25 delivery of services to juveniles involved in delinquency
 37 26 proceedings. The study shall examine the types of placements
 37 27 for juveniles adjudicated delinquent, taking into
 37 28 consideration the effectiveness of the placements in meeting
 37 29 the needs of juveniles and the cost-effectiveness of the
 37 30 programs. The study shall be completed and a report
 37 31 containing recommendations shall be submitted to the general
 37 32 assembly no later than March 1, 1993.

37 33 [Sec. 69. REPEAL. 1992 Iowa Acts, Senate File 2355,

VETOED

Requests the Legislative Council to negotiate a contract with the Annie E. Casey Foundation for a comprehensive study of services for juveniles involved in delinquency proceedings. Requires completion of the study and a report to the General Assembly by March 1, 1993.

DETAIL: The Annie E. Casey Foundation funds programs designed to assist foster families in providing care for children currently in group foster care.

CODE: Repeals the appropriation and related language

37 34 section 16, if enacted by the 1992 Session of the Seventy-
37 35 fourth General Assembly, is repealed.

in SF 2355 (Human Services Appropriations Bill) for court-ordered services for juveniles. This appropriation and related language are moved to the JD in this Act.

DETAIL: The transfer of the Program from the DHS to the JD is not expected to have a significant fiscal effect.

VETOED: The Governor vetoed this language, stating that the JD does not have sufficient staff to provide these services.

38 1 [Sec. 70. IMPLEMENTATION AND EFFECTIVE DATE CONCERNING
38 2 YOUTHFUL OFFENDER PROVISIONS.

VETOED

38 3 1. The sections of this Act which amend section 232.8 by
38 4 adding a new subsection 7, and amend sections 232.50, 232.52,
38 5 232.53, and 232.54, by providing procedures for the juvenile
38 6 court to order persons to participate in the youthful offender
38 7 program, take effect July 1, 1993.

38 8 2. Although the provisions cited in subsection 1 take
38 9 effect July 1, 1993, the court shall not utilize these
38 10 sections unless the youthful offender program is established
38 11 as provided in section 234.53, subsection 2.]

38 12 [Sec. 71. EFFECTIVE DATE. The second sentence of
38 13 subsection 1 of section 1 and this section of this Act, being
38 14 deemed of immediate importance, take effect upon enactment.]

VETOED

Requires that the sections of this Act pertaining to the Youthful Offender Program are effective July 1, 1993.

VETOED: The Governor vetoed this language, stating that funds had not been appropriated for the costs of the Youthful Offender program.

Provides that the language pertaining to allocations to districts for the Court-Ordered Services Provided to Juveniles Program is effective upon enactment.

VETOED: The Governor vetoed this language, stating that the JD does not have sufficient staff to provide these services.

38 15 HF 2452
38 16 mc/pk/25

**EXECUTIVE SUMMARY
GOVERNMENTAL EFFICIENCY BILL**

HOUSE FILE 2454

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

-Establishes an early retirement program for Executive and Judicial Branch employees age 59 and older with 20 years or more of service. The early retirement program permits the retirees to continue in the State's insurance program until age 65, and the State pays the employer's share of the insurance premium at the rate in effect when the employee retires. The retiree pays for any premium increases. (Page 1, Line 22)

FISCAL IMPACT: There are 618 full-time employees eligible for early retirement. Assuming the same participation rate (35.8%) as the previous early retirement program and that 50.0% of the positions will be refilled, there will be a savings of \$2.8 million in FY 1993 and \$5.2 million in FY 1994.

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

• Permits school districts to include health or medical insurance coverage as one of the incentives offered in their early retirement programs. (Page 1, Line 1)

STUDIES AND INTENT LANGUAGE

.Requires the aggregate number of layers of management of Executive Branch agencies to be reduced by 50.0% by July 1, 1994. Requires that the span of control be increased by as much as 50.0% by July 1, 1993. (Page 4, Line 12)

• Requires the Department of Personnel (IDOP) to evaluate the job classification system, create technical career paths so that persons need not become supervisors to advance, and eliminate obsolete, duplicative, and unnecessary job classifications. (Page 5, Line 2)

House File 2454

House File 2454 provides for the following changes to the Code of Iowa.

<u>Page #</u>	<u>Line #</u>	<u>Bill Section</u>	<u>Action</u>	<u>Code Section Changed</u>	<u>Description</u>
1	1	1	Amends	Sec. 279.46	Adds Health Insurance to Schools' Early Retirement

1 1 **Section 1.** Section **279.46**, Code **1991**, is amended to read
 1 2 as follows:
 1 3 **279.46 RETIREMENT INCENTIVES -- TAX.**
 1 4 The board of directors of a school district may adopt a
 1 5 program for payment of a monetary bonus, continuation of
 1 6 health or medical insurance coverage, or other incentives for
 1 7 encouraging its employees to retire before the normal
 1 8 retirement date as defined in chapter 978. The program is
 1 9 available only to employees between fifty-nine and sixty-five
 1 10 years of age who notify the board of directors prior to March
 1 11 1 of the fiscal year that they intend to retire not later than
 1 12 the next following June **30**. An employee retiring under this
 1 13 section shall apply for a retirement allowance under chapter
 1 14 978 or chapter 294. If the total estimated accumulated cost
 1 15 to a school district of the health or medical insurance
 1 16 coverage, bonus, or other incentives for employees who retire
 1 17 under this section does not exceed the estimated savings in
 1 18 salaries and benefits for employees who replace the employees
 1 19 who retire under the program, the board may include in the
 1 20 district management levy an amount to pay the costs of the
 1 21 program provided in this section.

CODE: Permits school districts to offer health or medical insurance coverage in addition to other incentives in their early retirement programs.

1 22 **Sec. 2. PARTICIPATION IN HEALTH OR MEDICAL INSURANCE**
 1 23 **PROGRAMS BY RETIREES AGE FIFTY-FIVE OR OLDER.**
 1 24 1. As used in this section, unless the context otherwise
 1 25 requires:
 1 26 a. Health or medical insurance program means a health or
 1 27 medical group insurance plan for employees of the state.
 1 28 b. Member means an employee of the executive branch of
 1 29 the state or the judicial branch of the state who is a member
 1 30 of the Iowa public employees' retirement system or the Iowa
 1 31 department of public safety peace officers' retirement,
 1 32 accident, and disability system, who at the date of
 1 33 termination of employment is receiving full health or medical
 1 34 insurance benefits pursuant to a health or medical insurance
 1 35 program in which the state makes contributions, and is not

Defines requirements and establishes early retirement program for Executive and Judicial Branch employees who are members of the Iowa Public Employees' Retirement System (IPERS) or the Peace Officers' Retirement, Accident, and Disability System (POR). Members of the General Assembly and employees of the Board of Regents are specifically excluded from participation.

2 1 receiving disability payments under the state employees'
 2 2 disability insurance program, and who is not a member of the
 2 3 general assembly. Member does not mean an employee of the
 2 4 state board of regents.

2' 5 2. A member with at least twenty years of membership
 2 6 service who retires on or after May 15, 1992, and before
 2 7 January 15, 1993, who applies to receive retirement benefits
 2 8 under this Act prior to January 15, 1993, who has attained at
 2 9 least the age of fifty-nine at the time of retirement, and who
 2 10 was a participant in a health or medical insurance program in
 2 11 which the state makes contributions at the time of retirement,
 2 12 may continue to participate in the health or medical insurance
 2 13 program in which the member is enrolled on April 1, 1992, as
 2 14 authorized by law. However, a member may choose to
 2 15 participate in a health or medical insurance program after
 2 16 April 1, 1992, which incurs less cost to the state.
 2 17 Notwithstanding any other provision of law to the contrary,
 2 18 the state shall continue to pay the employer's portion of the
 2 19 premium at the cost existing at the time of retirement under
 2 20 the program for the retiree until the retiree attains the age
 2 21 of sixty-five. Any additional premium costs for coverage
 2 22 incurred after the time of retirement shall be paid by the
 2 23 retiree. However, in order to have the state continue to pay
 2 24 the employer's portion of the premium, the member must send
 2 25 written notification to the department of personnel at any
 2 26 time after the effective date of this section and prior to
 2 27 November 15, 1992, of the intent to retire and the anticipated
 2 28 date of retirement.

2 29 3. If a member continues participation in a health or
 2 30 medical insurance program and the state pays premiums as
 2 31 authorized in subsection 2, the member is not eligible to
 2 32 accept further employment in which the state or a political
 2 33 subdivision of the state is the employer. However, this . .
 2 34 subsection shall not apply to a member who is elected to a
 2 35 public office as defined in chapter 56.

Establishes eligibility and program requirements:

1. Retirement must occur between May 15, 1992 and January 15, 1993.
2. The retiree must be at least 59 years old with 20 or more years of service.
3. The retiree may continue in his or her current health or medical insurance program or choose one which costs less.
4. The State will pay the employers' portion at the same rate that is in effect at the time of retirement. Any premium increases will be paid by the retiree.
5. Notice of intent to retire must be given by November 15, 1992.

Early retirees are not eligible for further employment with the State or a political subdivision. This restriction does not apply to elected officials.

3 1 4. A state department shall not be required to delete more
 3 2 than its proportionate share of all general fund full-time
 3 3 equivalent positions vacated due to the incentive for
 3 4 retirement established in subsection 2. All positions vacated
 3 5 by a member exercising the rights established in subsection 2
 3 6 shall be deleted, and the savings, as determined by the
 3 7 department of management, shall revert to the originating fund
 3 8 in a manner specified by the department of management, except
 3 9 that the portion of the savings which represents the cost of
 3 10 the employer's portion of a member's premium payable under
 3 11 this section shall not revert but shall be transferred to the
 3 12 department of revenue and finance to defray the costs of
 3 13 implementing this section. However, if an affected department
 3 14 determines that the vacancy may be detrimental to critical
 3 15 services provided to the public, the affected department may,
 3 16 with the approval of the department of management, exchange
 3 17 the vacancy with a position or positions determined by the
 3 18 department of management to be of an equal value, and delete
 3 19 that position or positions. If a position is not available
 3 20 for exchange, the department may, with the approval of the
 3 21 director of the department of management, retain and fill the
 3 22 vacancy. It is the intent of the general assembly that
 3 23 retirement taken pursuant to this section be used to eliminate
 3 24 the greatest number of employment positions as is feasible.
 3 25 The department of management shall report to the legislative
 3 26 fiscal bureau and the fiscal committee of the legislative
 3 27 council the number of vacancies retained and filled pursuant
 3 28 to this subsection.

3 29 It is the intent of the general assembly that the cost of
 3 30 premiums incurred by a state department be included within
 3 31 that department's annual budget and be paid from originating
 3 32 funds.

Requires the following:

1. Departments shall eliminate positions vacated through early retirement up to their proportionate share of all vacated positions.
2. The Department of Management (DOM) is to determine the savings from early retirement.
3. Departments are to transfer the cost of the employer's share of the insurance premiums to the Department of Revenue and Finance (DRF) for payment and transfer the remaining savings to the originating fund.
4. Critical positions may be exchanged for positions of equal value or refilled with permission of DOM.

It is the intent of the General Assembly that:

1. As many positions as possible be eliminated.
2. DOM report to the Legislative Fiscal Bureau (LFB) and the Legislative Fiscal Committee on the number of vacancies created and the number refilled.

Requires Departments to include these insurance premium costs in future budgets.

FISCAL IMPACT: There are 618 full-time employees eligible for early retirement. If 35.79% of the eligible employees retire early (which is the participation rate for the previous early retirement

3 33 Sec. 3. INITIATIVES FOR EFFICIENCY IN STATE GOVERNMENT --
 3 34 SPAN OF CONTROL AND LAYERS OF MANAGEMENT, JOB CLASSIFICATION
 3 35 SYSTEM, AND TOTAL QUALITY MANAGEMENT. It is the intent of the
 4 1 general assembly to restore the confidence of citizens of Iowa
 4 2 in the value of their investment in state government, to
 4 3 improve efficiency and productivity of state government, and
 4 4 to instill in all state employees pride for their work. The
 4 5 general assembly supports the concept of total quality
 4 6 management achieved through an incremental long-term process
 4 7 involving employee teams examining and improving work
 4 8 procedures, using data-based problem-solving tools to analyze
 4 9 work systems, and making improvements which enhance Service to
 4 10 the citizens of Iowa. In order to accomplish these goals, the
 4 11 following initiatives shall be performed:

4 12 1. SPAN OF CONTROL AND LAYERS OF MANAGEMENT. The
 4 13 department of personnel, in consultation with the department
 4 14 of management, shall, after discussion and collaboration with
 4 15 executive branch agencies, reduce the layers of management in
 4 16 executive branch agencies in the aggregate from those existing
 4 17 on July 1, 1991, by at least 50 percent by July 1, 1994, and
 4 18 increase the ratio of number of employees per supervisor for
 4 19 executive branch agencies in the aggregate from those existing
 4 20 on July 1, 1991, by up to 50 percent by July 1, 1993. The
 4 21 department shall present an interim report to the general
 4 22 assembly by April 1, 1993, and a final report by April 1,
 4 23 1994, regarding the progress of the department in completing
 4 24 this task and its outcome.

4 25 However, before any reduction in layers of management is
 4 26 implemented, the department of personnel shall notify the
 4 27 legislative fiscal committee of the legislative council

program ending June 30, 1988) and if 50.0% of the positions are refilled, there will be an estimated savings of \$2.8 million in FY 1993 and \$5.2 million in FY 1994.

The General Assembly intends to achieve the following goals' by the initiatives in this section:

1. Restore the confidence in State government.
2. Improve efficiency and productivity.
3. Instill State employees with a sense of pride in their work.
4. Support the concept of Total Quality Management (TQM).

Requires the Department of Personnel (IDOP) to work with Executive Branch agencies to reduce the aggregate layers of management by at least 50.0% by July 1, 1994, and increase the span of control by up to 50.0% by July 1, 1993.

Requires an interim report to the General Assembly by April 1, 1993 and a final report by April 1, 1994.

Requires an agency to notify the Legislative Fiscal Committee before implementing any reductions in layers of management. The notification shall

4 28 regarding the proposed reduction. The notification shall
 4 29 include all of the following: a description of the proposed
 4 30 reduction; a list of the positions and employment
 4 31 responsibilities to be eliminated or reduced; a list of
 4 32 activities to be eliminated or reduced; and an estimate of
 4 33 savings expected to result from the reduction of layers of
 4 34 management. The legislative fiscal committee shall report to
 4 35 the legislative council concerning notifications received
 5 1 pursuant to this paragraph.

5 2 2. JOB CLASSIFICATION SYSTEM. The department of personnel
 5 3 shall evaluate the state's system of job classification for
 5 4 state employees in order to ensure the existence of technical
 5 5 skill-based career paths in state employment which do not
 5 6 depend on an employee gaining supervisory responsibility to
 5 7 gain advancement, and which provide incentives for state
 5 8 employees to broaden their knowledge and skill base. The
 5 9 department shall include in its review the elimination of
 5 10 obsolete, duplicative, or unnecessary job classifications.
 5 11 The department shall present interim reports to the general
 5 12 assembly by January 15, 1993, and January 15, 1994, regarding
 5 13 the progress of the department in completing this task and its
 5 14 outcome.

5 15 3. PRIORITIES IN IMPLEMENTATION. In implementation of
 5 16 this section, priority shall be given to elimination or
 5 17 reduction of middle management employee positions. In
 5 18 addition, prior to the elimination of employee positions other
 5 19 than middle management positions or positions eliminated due
 5 20 to early retirement, priority shall be given to elimination or
 5 21 deferral by executive branch agencies of purchases and out-of-
 5 22 state travel.

5 23 The department of management shall report quarterly to the
 5 24 fiscal committee of the legislative council and to the
 5 25 legislative fiscal bureau regarding out-of-state travel
 5 26 authorized by executive branch agencies including a listing by

include:

1. A description of the proposed reductions.
2. A list of the positions and responsibilities to be reduced.
3. A list of the activities to be eliminated or reduced.
4. An estimate of the savings due to the reduction in layers.

Requires the IDOP to:

1. Evaluate the State's job **classification** system and revise it to include technical skill-based career paths that do not require employees to become supervisors to advance.
2. Review job classifications for obsolete, duplicative, or unnecessary job classifications.
3. Report to the General Assembly by January 15, 1993 and January 15, 1994 on the progress towards simplifying the job classification system.

Establishes elimination of middle management positions as the first priority. After middle management positions and early retirement positions are eliminated, departments will reduce expenditures by eliminating or deferring purchases and out-of-state travel.

Requires the DOM to report quarterly to the LFB and the Legislative Fiscal Committee regarding out-of-state travel. The report is to include:

5 27 agency of personnel authorized to travel, and the cost and
5 28 purpose of the travel authorized.

- 1. Department of person traveling.
- 2. Cost of the travel.
- 3. Purpose of the travel.

5 29 Sec. 4. EFFECTIVE DATES. Sections 1 and 2 of this Act
5 30 take effect upon enactment.

The early retirement sections of this Act are effective upon enactment.

5 31 HF 2454
5 32 aa/pk/25

**EXECUTIVE SUMMARY
STATE MANDATES BILL**

HOUSE FILE 2463

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Amends Chapter 25B, Code of Iowa, to make the fiscal note requirements on State mandates consistent with the General Assembly's rules for other fiscal notes. (Page 1, Line 1)
- Requires that a fiscal note on the final bill or joint resolution be included with the official copy filed with the Secretary of State and that a notation be made in the Session Laws. (Page 1, Line 30 and Page 2, Line 5)

House File 2463

House File 2463 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	1	1	Amends	Sec. 25B.3(2)	Cost Level for Fiscal Notes
1	14	2	Amends	Sec. 25B.5(1)	LSB Identifies Potential State Mandates
1	21	2	Amends	Sec. 25B.5(2)	LFB Determines State Mandates
1	30	2	Amends	Sec. 25B.5(3)	Fiscal Note Included with Official Copy of Bill
2	5	3	Adds	Sec. 14.10(7)	Notice of Fiscal Note
				Code Supplement 1991	Included with Session Laws

1 1 Section 1. Section 258.3, subsection 2, Code 1991, is
 1 2 amended to read as follows:
 1 3 2. State mandate means a statutory requirement enacted
 1 4 ~~after January 1, 1984, or appropriation~~ which requires a
 1 5 political subdivision of the state to establish, expand, or
 1 6 modify its activities in a manner which necessitates
 1 7 additional annual expenditures of local revenue of at least
 1 8 one hundred thousand dollars, or additional expenditures of
 1 9 local revenue within five years of enactment of five hundred
 1 10 thousand dollars or more, excluding an order issued by a court
 1 11 of this state.

1 12 Sec. 2. Section 25B.5, Code 1991, is amended to read as
 1 13 follows:

1.14 258.5 ESTIMATION -- PROCEDURES.

1 15 1. When a bill or joint resolution is requested, the
 1 16 legislative service bureau shall make an initial determination
 1 17 of whether the bill or joint resolution ~~will~~ may impose a
 1 18 state mandate. If a state mandate ~~is~~ may be included, ~~the~~
 1 19 that fact shall be included in the explanation of the bill or
 1 20 joint resolution.

1 21 2. If a bill or joint resolution ~~contains~~ may include a
 1 22 state mandate, a copy of the prepared draft shall be sent to
 1 23 the legislative fiscal bureau which shall determine if the
 1 24 bill or joint resolution contains a state mandate. If the
 1 25 bill or joint resolution contains a state mandate and is still
 1 26 eligible for consideration during the legislative session for
 1 27 which the bill or joint resolution was drafted, the
 1 28 legislative fiscal bureau shall prepare an estimate of the
 1 29 amount of costs imposed.

1 30 3. If a bill or joint resolution containing a state
 1 31 mandate is enacted, unless the estimate already on file with
 1 32 the house of origin is sufficient, the legislative fiscal

CODE: Defines a State mandate as a bill or joint resolution that affects political subdivisions (local governments) with a fiscal impact of \$100,000 annually or \$500,000 over the first 5 years.

DETAIL: This definition is consistent with the rules of General Assembly for fiscal notes. Fiscal notes would be prepared on bills and joint resolutions meeting this threshold or upon the request by a legislator.

CODE: The Legislative Service Bureau (LSB) is to identify bills and joint resolutions that may have a State mandate and inform the Legislative Fiscal Bureau (LFB).

CODE: Requires the LFB to determine if a bill or joint resolution contains a State mandate. A fiscal note is prepared if the bill or joint resolution with a State mandate is eligible for consideration.

CODE: Requires the LFB to prepare a final estimate for a State mandate, unless already prepared, and file it with the Secretary of State to be included

1 33 bureau shall prepare a final estimate of additional local
 1 34 revenue expenditures required by the state mandate and file
 1 35 the estimate with the secretary of state for inclusion with
 2 1 the official copy of the bill or resolution to which it
 2 2 applies. A notation of the filing of the estimate shall be
 2 3 made in the Acts of the general assembly published pursuant to

with the official copy of the bill or joint resolution. A notation of the filing is to be published in the Acts of the General Assembly.

2 7 NEW SUBSECTION. 7. A notation of the filing of an
 2 8 estimate of a state mandate prepared by the legislative fiscal
 2 9 bureau pursuant to section 258.5 shall be included in the
 2 10 session laws with the text of an enacted bill or joint
 2 11 resolution containing the state mandate.

CODE: Requires that a notation of the filing of a fiscal note be included in the Session Laws with the text of the bill or joint resolution.

2 12 EXPLANATION

2 13 This bill relates to state mandates applied to a political
 2 14 subdivision of the state.
 2 15 Section 1 amends the state mandates Act to apply to an
 2 16 appropriation requiring additional local revenue expenditures.
 2 17 In addition the bill applies a financial threshold to the
 2 18 meaning of a state mandate.
 2 19 Section 2 relates to fiscal notes prepared for a state
 2 20 mandate. Initially, the legislative service bureau determines
 2 21 if a bill may include a state mandate. If the legislative
 2 22 fiscal bureau determines that a bill contains a state mandate,
 2 23 the bureau must prepare an estimate of the costs required by
 2 24 the mandate. A final estimate of the cost imposed by a state
 2 25 mandate contained in an enacted bill or joint resolution is to
 2 26 be included with the final copy filed with the secretary of
 2 27 state. An indication of the existence of the fiscal note is
 2 28 to be published in the Acts of the general assembly published
 2 29 for that session.
 2 30 Section 3 requires the Code editor to publish the notice of
 2 31 the fiscal estimate with the session laws.

EXECUTIVE SUMMARY CHILD WELFARE STATUTORY BILL

HOUSE FILE 2480

LIMITATION ON GROUP FOSTER CARE PLACEMENTS

- Requires the General Assembly to annually establish statewide targets for ~~the~~ number of group foster care placements paid for by the State. These placements will be allocated jointly by ~~the~~ Department of Human Services (DHS) and by the Judicial Department (JD) ~~to~~ each of the DHS' regions.
- Establishes regional planning groups to implement the placement targets. Requires that representatives of the DHS and the JD shall appoint members of the regional groups. Specifies responsibilities of the planning group, including development of monthly targets and strategies for alternatives to group foster care in order to contain expenditures within appropriated funds.
- Limits judicial authority to order group foster care placements if the placement is not in **accordance** with the plan for the region.

FAMILY PRESERVATION EFFORTS

- Defines reasonable efforts as efforts **made** to prevent or eliminate ~~the need for removal~~ of a child from its home. Requires that intensive family preservation **services and family-centered** services be offered to families prior to an out-of-home placement, if safety **can be** maintained and **if success** at avoiding ~~an~~ out-of-home placement is considered possible. Requires the DHS and the JD to implement a reasonable efforts protocol for **use** throughout the State.

VOLUNTARY FOSTER CARE PLACEMENTS

- *Establishes a new oversight process for voluntary foster care placements of children with disabilities. Requires periodic review by Foster Care Review Boards at least **every** 6 months and ~~court~~ reviews at least every **18** months.
- *Requires a finding of reasonable efforts prior to a voluntary foster **care** placement of a child with a disability. **A court** is required to determine if services or **support** would permit a family to retain a child at home before ordering a voluntary foster care placement.
- *Requires the DHS to submit a social history ~~report~~ in voluntary foster care cases. These reports shall address ~~the~~ child and the child's family, including a description of the child's disability and the effects of the disability.

OUT-OF-STATE PLACEMENTS

- Requires the DHS and the JD to establish regional committees **to review** all out-of-state ~~foster care~~ placements which are over 125 miles ~~from~~ the child's home. ~~Specifies~~ legislative intent that the regional committees will **cause** a 25.0% reduction in the number of children in out-of-state foster **care** by June **30**, 1994. Prohibits ~~the~~ DHS from paying for **any** out-of-state placement **unless** a regional committee **has approved** the placement.

**EXECUTIVE SUMMARY
CHILD WELFARE STATUTORY BILL**

HOUSE FILE 2480

**CHILD WELFARE SERVICES
DECATEGORIZATION**

•Codifies the current practice in which the DHS enters into ~~an agreement~~ with interested counties to combine funding for a variety of child welfare programs, in ~~order to provide more~~ flexible and appropriate services.

**FEEES FOR CHILD WELFARE
SERVICES**

*Authorizes the DHS to charge a ~~fee~~ for child welfare services. The fees must ~~be~~ based upon ability to pay and the ~~case~~ permanency plan. Permits withholding of the fees against money owed by the State for other purposes.

**STATE LIABILITY FOR FOSTER
CARE**

-Provides that payments for foster care services be made ~~only~~ to providers with a current contract with the DHS. Out-of-state providers are paid only if the placement ~~has been approved~~ by the appropriate regional committee. Payment for voluntary foster care placements is limited to 30 days, and payment can be made only under agreements initiated before July 1, 1992. Persons over age 18 are no longer eligible for group foster ~~care, persons~~ over age 19 are no longer eligible for either ~~group~~ or family care, and persons over age 20 are not eligible for group or family foster care or independent living.

*Specifies that reimbursement for family foster care is based upon the federal Department of Agriculture estimated cost of raising a child; the percentage of that estimated cost which will be reimbursed increases over the next 3 years. Requires that the ~~maintenance~~ portion of the reimbursement rate for group foster care is based upon 100.0% of a federal standard. Requires the reimbursement rate to be based upon reasonable and necessary ~~costs~~. **NOTE:** House File 2486 (Standing Appropriations Bill) amends the language pertaining to family foster care to provide that the percentage of the estimated child-raising cost which will be reimbursed is 65.0% in any fiscal year. Senate File 2385 (Foster and Shelter Care Bill) ~~repeals~~ the language ~~pertaining~~ to group foster care.

MEDICAL ASSISTANCE SPENDING

•Deletes statutory provisions which require the Director of the DHS to curtail the services provided by the Medical Assistance Program in order to remain within the funds available. Permits revision of the Program in order to comply with applicable court orders.

**MEDICAL ASSISTANCE
COPAYMENTS**

•Requires the DHS to apply a copayment only to those services and products specified in DHS administrative ~~rules~~ in effect on February 1, 1991, which under federal Medical Assistance requirements are provided at the option of the State.

PUBLIC HEARINGS

.Requires the DHS to hold public hearings concerning the ~~various~~ child welfare policy changes contained in this bill.' Requires the DHS to develop a proposed child welfare plan in conjunction with the Child Welfare ~~Task~~ Force established in SF 2355.

EXECUTIVE SUMMARY STANDINGS APPROPRIATIONS LIMITATIONS BILL

HOUSE FILE 2486

APPROPRIATIONS

- Appropriates **\$28.8** million from the General Fund to the Generally Accepted Accounting Principles (GAAP) Deficit Reduction Account to reduce the **State** deficit. (Page 8, Line 31)
- Appropriates **\$31.2** million from **Use** Tax Receipts to the GAAP Deficit Reduction Account to reduce the State deficit. This appropriation is contingent upon the enactment of **SF 2034**, the Sales Tax Increase Bill. (Page 9, Line 5) *Note: SF 2034 was vetoed by the Governor, therefore, this item was not enacted.*
- Appropriates **\$129,000** from the General Fund for FY 1992 to the Department of ~~Revenue~~ and Finance for the administration of the Sales and ~~Use~~ Tax increase. (Page 12, Line 20) *This item was vetoed by the Governor.*
- Appropriates **\$15.1** million for FY 1992 to the Salary Adjustment Fund to fund **back pay** for employees covered by a collective bargaining agreement. Amends HF 2490 (Salary Bill) to reduce the General Fund appropriation to the Salary Adjustment Fund for FY 1993 by a like amount. (Page 13, Line 5) *These items were vetoed by the Governor.*
- Permits the Department of Economic Development to transfer \$25,000 of the loan repayments received under the Rural Community **2000 Program** during FY 1993 to the Welcome Center Program for the purchase of land. (Page 15, Line 6)
- Appropriates **\$50,000** to the Office of the Governor. (Page 19, Line 34)
- Appropriates **\$35,000** to the Department of Management. (Page 20, Line 10)

STANDING APPROPRIATIONS

- Reduces the Agricultural Land Tax Credit Fund standing appropriation by **\$2.3** million. (Page 15, Line 16)
- Reduces the Personal Property Tax Replacement standing appropriation by **\$8.5** million. (Page 15, Line 26)
- Limits the Extraordinary Property Tax and Rent Reimbursement Credit standing appropriation to **\$11.4** million. (Page 15, Line 32)

**EXECUTIVE SUMMARY
STANDINGS APPROPRIATIONS LIMITATIONS BILL**

HOUSE FILE 2486

SALES TAX INCREASE

DISPROPORTIONATE SHARE PROGRAM

DEPARTMENT OF HUMAN SERVICES

IOWA VETERANS' HOME

- Reduces the Homestead ~~Tax~~ Credit standing appropriation by **\$12.0** million From ~~the~~ estimated amount **needed** to fully fund the ~~tax~~ credit. (Page 16, Line 28)
- Reduces the Military Service Tax Credit standing appropriation by **\$200,000** ~~from~~ the estimated amount **needed** to fully fund the tax credit. (Page 16, Line 30)
- Reduces the Machinery and Computer Equipment Tax Replacement standing appropriation by **\$5.0** million from the estimated amount needed to fully fund the replacement. (Page 16, Line 32)
- Reduces the Franchise Tax to Cities and Counties standing appropriation by **\$100,000** from the estimated amount **needed** to fully fund the payment. (Page 17, Line 3)
- Reduces the Transportation of Nonpublic Students standing ~~appropriation~~ by **\$15,000** ~~from~~ the estimated amount needed **to** fully fund the payment. (Page 17, Line 10)
- Limits the Peace Officers and Firefighters Retirement Benefits standing appropriation to **\$3.1** million. (Page 17, Line 14)
- Clarifies that the increased tax rate applies to ~~sales~~ of taxable ~~personal~~ property, if delivery occurs ~~on~~ or after June 1, 1992. (Page 2, Line 15) *This item was vetoed by the Governor.*
- Requires the appropriations to the GAAP Deficit Reduction Account **to be reduced** by the amount received from the Disproportionate Share Program. (Page 9, Line 19)
- Defines Brain Injury (BI) for the purposes of allocating funds to counties for ~~community-based~~ Mental Health, Mental Retardation, Developmental Disabilities, BI (MHIMRIDDIBI) services. Provides details regarding funding and responsibilities relating to MH/MR/DD/BI Services. (Page 3, Line 29)
- Appropriates **\$25.0** million to the Department of Human Services (DHS) for the Medical Assistance Program. (Page 9, Line 27)
- Clarifies the employment responsibilities of the Commandant of the Iowa Veterans' ~~Home~~. (Page 11, Line 11)

**EXECUTIVE SUMMARY
STANDINGS APPROPRIATIONS LIMITATIONS BILL**

HOUSE FILE 2486

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Appropriates \$10,000 to the DHS for the Iowa Veterans' Home. (Page 12, Line 30) *This item was vetoed by the Governor.*
- Increases the tax from 4.0% to 5.0% on the price of certain rented automobiles and on solid waste collection and disposal services. (Page 1, Line 9 and Page 10, Line 3) *These items were vetoed by the Governor.*
- Clarifies the use of revenues from taxes on motor vehicles, trailers, and motor vehicle accessories and equipment. (Page 1, Line 20) *This item was vetoed by the Governor.*
- Clarifies that persons claimed as a dependent on another return are not eligible for the expanded property tax circuit-breaker. (Page 1, Line 26) *This item was vetoed by the Governor.*
- Exempts payments received for unskilled in-home health-related care services provided to a member of an individual caregiver's family from being included in an individual's net income for tax purposes. (Page 11, Line 34)
- Requires the transfer of FY 1993 Lottery revenues, after expenses, to the General Fund. (Page 17, Line 18)
- Reduces the weighting for pupils receiving competent private instruction by a licensed practitioner from 1.0 to 0.6 and dually enrolled pupils from 1.0 to 0.1. (Page 18, Line 11 and Page 18, Line 17)
- The Governor vetoed Sections 1 - 6, 25, 27, and 32 which amended SF 2034 (Sales Tax Increase Bill) stating that with the veto of SF 2034 these items must also be vetoed.
- The Governor vetoed the \$10,000 appropriation to the Iowa Veterans' Home stating that the Home received \$26.5 million in SF 2355 (Human Services Appropriations Bill), therefore, this supplemental appropriation was not needed. (Page 12, Line 30)
- The Governor vetoed Sections 34 and 35 which amended HF 2490 (Salary Bill) stating that pursuant to the letter of agreement between the State and the employee bargaining units, payment of back compensation to employees is to be made in FY 1993. (Page 13, Line 5 through Page 13, Line 32)

GOVERNOR'S VETOES

House File 2486

House File 2486 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	2	1	Amends	Sec. 422.13(1)(a & b)	Income Tax Technical Change
1	9	2	Amends	Sec. 422C.3(1), as enacted by HF 695 1992 Iowa Acts	Motor Vehicle Rental Tax
1	20	3	Amends	Sec. 423.24(1), Code Supplement 1991, as amended by SF 2034 1992 Iowa Acts	Sales Tax Increase Clarification
1	26	4	Amends	Sec. 425.17(2), Code Supplement 1991, as amended by SF 2034 1992 Iowa Acts	Sales Tax increase Clarification
2	15	5	Amends	Sec. 36, SF 2034 1992 Iowa Acts	Sale of Taxable Personal Property
3	22	7	Adds	Sec. 24, SF 2355 1992 Iowa Acts	MH/MR/DD Emergency Rules
3	29	8	Amends	Sec. 25(1), SF 2355 1992 Iowa Acts	MH/MR/DD/BI Emergency Rules
4	24	9	Amends	Sec. 25(4)(a), SF 2355 1992 Iowa Acts	MH/MR/DD/BI Funding
5	9	10	Amends	Sec. 25(7)(b), SF 2355 1992 Iowa Acts	MH/MR/DD Services
5	24	11	Adds	Sec. 25(7), SF 2355 1992 Iowa Acts	MH/MR/DD County of Residence
6	3	12	Amends	Sec. 27(6), SF 2355 1992 Iowa Acts	Case Management Services
6	30	13	Adds	Sec. 33, SF 2355 1992 Iowa Acts	Social Services Provider Rate
7	2	14	Adds	Sec. 217.41	Private Agency Contracts

Page #	Line #	Bill Section	Action	Code Section Changed	Description
7	8	15	Amends	Sec. 225C.27(1), as amended by SF 2355 1992 Iowa Acts	Bill of Rights–Quality Stnds.
7	19	16	Amends	Sec. 225C.27(3)	Bill of Rights–Quality Stnds.
7	27	17	Amends	Sec. 225C.29, as amended by SF 2355 1992 Iowa Acts	Bill of Rights–Quality Stnds.
8	21	19	Repeals	Sec. 225C.18 & 225C.19	Coord Bds/Advisory Committees
10	3	25	Amends	Sec. 422.43(13)(a), as enacted by SF 2116 & amended by SF 2346 1992 Iowa Acts	Solid Waste Collections Tax
11	11	28	Adds	Sec. 35A.8(3), as amended by SF 2011 1992 Iowa Acts	Veterans Affairs Commission
11	22	29	Adds	Sec. 219.14, as amended by SF 2011 1992 Iowa Acts	Veterans Affairs Commission
11	34	30	Adds	Sec. 422.7(26) Code Supplement 1991	In–Home Health–Care Exemption for Health Services
12	13	31	Nwthstnd	Sec. 422.73(2)	Retroactive Claim for Refund
13	16	34.2	Nwthstnd	Sec. 8.33	Non–Reversion of the Salary Adjustment Fund
13	22	35	Amends	Sec. 1, HF 2490 1992 Iowa Acts	Salary Adjustment Fund
13	33	36	Amends	Sec. 1, SF 2345 1992 Iowa Acts	Technical Correction to the Trans. & Safety Approp. Bill
14	8	37	Amends	Sec. 11, SF 2345 1992 Iowa Acts	Technical Correction to the Trans. & Safety Approp. Bill
14	23	38	Amends	Sec. 12, SF 2345 1992 Iowa Acts	Technical Correction to the Trans. & Safety Approp. Bill
15	16	42	Nwthstnd	Sec. 425A 1 & 426 1	Ag Land Tax Credit Approp.
15	26	43.1	Nwthstnd	Sec. 405A.8	Prop. Tax Replacement Approp.
15	32	43.2	Nwthstnd	Sec. 425 39	Extraordinary Credit Approp.
16	28	44.1(a)	Nwthstnd	Sec. 425 1	Homestead Tax Credit
16	30	44.1(b)	Nwthstnd	Sec. 426A.1	Military Service Tax Credit

Page #	Line #	Bill Section	Action	Code Section Changed	Description
16	32	44.1(c)	Nwthstnd	Sec. 4278.13	Machinery and Computer Equipment Tax
17	3	44.2	Nwthstnd	Sec. 422.65	Franchise Tax Reimbursement
17	10	44.3	Nwthstnd	Sec. 285.2	Transportation Services to Nonpublic School Pupils
17	14	44.4	Nwthstnd	Sec. 411.20(1-3)	Municipal Fire & Police Retirement System Standing Unlimited Appropriation Cap
17	18	45	Nwthstnd	Sec. 99E.10(1),99E.20(2), and 99E.34	Lottery Revenue
17	31	46	Amends	Sec. 234.38(1), as amended by HF 2480 1992 Iowa Acts	Foster Care Reimbursement
18	11	47	Adds	Sec. 257.6(1)(e)	Competent Private Instruction
18	17	47	Adds	Sec. 257.6(1)(f)	Dual Enrollment
18	20	48	Amends	Sec. 299A.2 Code Supplement 1991	Competent Private Instruction
19	7	49	Amends	Sec. 299A.8 Code Supplement 1991	Dual Enrollment
19	26	50	Amends	Sec. 11, SF 2320 1992 Iowa Acts	Competent Private Instruction

1 1

DIVISION I

1 2 [Section 1. Section 422.13, subsection 1, paragraphs a and
1 3 b, Code 1991, are amended to read as follows:

1 4 ~~a. The individual is required to file a federal income tax
1 5 return under the Internal Revenue Code.~~

1 6 b. The individual has net income of ~~five~~ nine thousand
1 7 dollars or ~~more~~ for the tax year from sources taxable under
1 8 this division.]

VETOED

CODE: Provides corrective language relating to the increase in the income tax floor increases contained in SF 2034 (Sales Tax Increase Bill).

1 9 [Sec. 2. Section 422C.3, subsection 1, ~~as~~ enacted by 1992
1 10 Iowa Acts, House File 695, section 4, is amended to read as
1 11 follows:

1 12 1. A tax of ~~four~~ five percent is imposed upon the rental
1 13 price of an automobile if the rental transaction is subject to
1 14 the sales and services tax under chapter 422, division IV, or
1 15 the use tax under chapter 423. The tax shall not be imposed
1 16 on any rental transaction not taxable under the state sales
1 17 and services tax, as provided in section 422.45, or the state
1 18 use tax, as provided in section 423.4, on automobile rental
1 19 receipts.]

VETOED

CODE: Increases the tax from 4.0% to 5.0% on the price of certain rented automobiles.

VETOED: The Governor vetoed this section stating that with the veto of SF 2034 this item must also be vetoed.

1 20 [Sec. 3. Section 423.24, subsection 1, Code Supplement
1 21 ~~1991~~, as amended by 1992 Iowa Acts, Senate File 2034, section
1 22 27, applies to the revenues derived from the five percent use
1 23 tax on motor vehicles, trailers, and motor vehicle accessories
1 24 and equipment as collected after June 1, 1992, pursuant to
1 25 section 423.7.]

VETOED

CODE: Clarifies that the section applies to revenues from taxes on motor vehicles, trailers, and motor vehicle accessories and equipment.

VETOED: The Governor vetoed this section stating that with the veto of SF 2034 this item must also be vetoed.

1 26 [Sec. 4. Section 425.17, subsection 2, Code Supplement
1 27 1991, as amended by 1992 Iowa Acts, ~~Senate~~ File 2034, section
1 28 28, is amended to read as follows:

1 29 2. Claimant means a person filing a claim for credit or
1 30 reimbursement under this division who has attained the age of,
1 31 eighteen years on or before December 31 of the base year, and

VETOED

CODE: Clarifies that persons claimed as a dependent on another return are not eligible for the expanded property tax circuit-breaker.

VETOED: The Governor vetoed this section stating that with the veto of SF 2034 this item must **also** be

1 32 was domiciled in this state during the entire base year, and
 1 33 is domiciled in this state at the time the claim is filed or
 1 34 at the time of the person's death in the case of a claim filed
 1 35 by the executor or administrator of the claimant's estate and,
 2 1 in the case of a person who is not disabled and has not
 2 2 reached the age of sixty-five, was not claimed as a dependent
 2 3 on any other person's tax return for the base year.
 2 4 Claimant includes a vendee in possession under a contract
 2 5 for deed and may include one or more joint tenants or tenants
 2 6 in common. In the case of a claim for rent constituting
 2 7 property taxes paid, the claimant shall have rented the
 2 8 property during any part of the base year. If a homestead is
 2 9 occupied by two or more persons, and more than one person is
 2 10 able to qualify as a claimant, the persons may determine among
 2 11 them who will be the claimant. If they are unable to agree,
 2 12 the matter shall be referred to the director of revenue and
 2 13 finance not later than October 31 of each year and the
 2 14 director's decision is final.]

2 15 [Sec. 5. 1992 Iowa Acts, Senate File 2034, section 36, is
 2 16 amended to read as follows:
 2 17 SEC. 36. APPLICABILITY. This section applies in regard to
 2 18 the increase in the state sales, services, and use taxes from
 2 19 four to five percent. The five percent rate applies to all
 2 20 sales of taxable personal property, consisting of goods,
 2 21 wares, or merchandise if delivery occurs on or after June 1,
 2 22 1992. The use tax rate of five percent applies to motor
 2 23 vehicles subject to registration which are registered on or
 2 24 after June 1, 1992. The five percent use tax rate applies to
 2 25 the use of property when the first taxable use in this state
 2 26 occurs on or after June 1, 1992. The five percent rate
 2 27 applies to the gross receipts from the sale, furnishing, or
 2 28 service of gas, electricity, water, heat, pay television
 2 29 service, and communication service if the date of billing the
 2 30 customer is on or after June 1, 1992. In the case of a
 2 31 service contract entered into prior to June 1, 1992, which
 2 32 contract calls for periodic payments, the five percent rate

vetoed.

CODE: Clarifies that the increased sales tax rate applies to sales of taxable personal property if delivery occurs on or after June 1, 1992.

VETOED: The Governor vetoed this section stating that with the veto of SF 2034 this item must also be vetoed.

2 33 applies to those payments made or due on or after June 1,
 2 34 1992. This periodic payment applies, but is not limited to,
 2 35 tickets or admissions, private club membership fees, sources
 3 1 of amusement, equipment rental, dry cleaning, reducing salons,
 3 2 dance schools, and all other services subject to tax, except
 3 3 the aforementioned utility services which are subject to a
 3 4 special transitional rule. Unlike periodic payments under
 3 5 service contracts, installment sales of goods, wares, and
 3 6 merchandise are subject to the full amount of sales or use tax
 3 7 when the sales contract is entered into or the property is
 3 8 first used in Iowa.]

3 9 [Sec. 6. Sections 1 through 5 of this division are
 3 10 contingent upon the enactment of Senate File 2034 by the
 3 11 Seventy-fourth General Assembly, 1992 Session.

VETOED

Specifies that Sections 1 through 5 of this division
 are contingent upon enactment of SF 2034 (Sales Tax
 Increase Bill).

VETOED: The Governor vetoed this section stating
 that with the veto of SF 2034 this item must also be
 vetoed.

3 12 If Senate File 2034 is enacted, section 1 of this division
 3 13 is retroactive to January 1, 1992, for tax years beginning on
 3 14 or after that date, section 2 of this division is effective
 3 15 July 1, 1992, sections 3 and 5 of this division are effective
 3 16 June 1, 1992, and section 4 of this division is effective
 3 17 January 1, 1993, for property tax claims filed on or after
 3 18 that date and is applicable to rent reimbursement claims filed
 3 19 on or after January 1, 1994. This section, being deemed of
 3 20 immediate importance, takes effect upon enactment.]

Provides effective dates for Sections 1 through 5 of
 this division, if SF 2034 (Sales Tax Increase Bill)
 is enacted.

VETOED: The Governor vetoed this section stating
 that with the veto of SF 2034 this item must also be
 vetoed.

3 21 DIVISION II

3 22 **Sec. 7.** 1992 Iowa Acts, Senate File 2355, section 24, if
 3 23 enacted by the Seventy-fourth General Assembly, 1992 Session,
 3 24 is amended by adding the following new unnumbered paragraph:
 3 25 NEW UNNUMBERED PARAGRAPH: The department may adopt
 3 26 emergency rules relating to eligibility, services, and

CODE: Permits the Department of Human Services (DHS)
 to adopt emergency rules regarding Mental
 Health/Mental Retardation/Developmental Disabilities
 (MH/MR/DD) State Cases and Non-MH/MR/DD Local
 Purchases.

3 27 reimbursement rates in implementing the provisions of this
3 28 section.

3 29 **Sec. 8.** 1992 Iowa Acts, Senate File 2355, section 25,
3 30 subsection 1, unnumbered paragraph 4, if enacted by the
3 31 Seventy-fourth General Assembly, 1992 Session, is amended to
3 32 read as follows:

3 33 ~~The mental health, and mental retardation, and~~
3 34 ~~developmental disabilities~~ commission shall adopt emergency
3 35 rules pursuant to chapter 17A describing the services listed
4 1 in subparagraphs (1) through (5) and other necessary rules
4 2 relating to services for brain injury for the purposes of this
4 3 subsection. For the purposes of this subsection, brain
4 4 injury means clinically evident brain damage or spinal cord
4 5 injury resulting from trauma which permanently impairs an
4 6 individual's physical or cognitive functions and causes the
4 7 individual to meet the federal criteria for a person with a
4 8 developmental disability except for age of onset of the
4 9 disability.

4 10 The poverty guideline required to be used under this
4 11 subsection and subsection 7 shall be based upon the poverty
4 12 guideline utilized for the social services block grant in
4 13 fiscal year 1991-1992.

4 14 The funding provided to a county under this subsection
4 15 shall be utilized in accordance with the plan for provision of
4 16 mental health, mental retardation, and developmental
4 17 disabilities services developed by the county's mental health
4 18 and mental retardation coordinating board. However, the board
4 19 of supervisors shall revise the plan for fiscal year 1992-
4 20 1993, if necessary, to provide contemporary services in
4 21 accordance with the requirements of this subsection and the
4 22 revisions shall be submitted to the mental health and mental
4 23 retardation commission by October 15, 1992:

4 24 **Sec. 9.** 1992 Iowa Acts, Senate File 2355, section 25,
4 25 subsection 4, paragraph a, if enacted by the Seventy-fourth
4 26 General Assembly, 1992 Session, is amended to read as follows:

CODE: Permits the DHS to adopt emergency rules relating to services for brain injury (BI) and defines BI for the purposes of allocating funds to counties for community-based MH/MR/DD/BI services. Provides that the specified poverty guideline is based upon the poverty guideline used for the Social Services Block Grant (SSBG) in FY 1992. Requires the specified funding to be used in accordance with MH/MR/DD Services Plan developed by the county's MH/MR Coordinating Board, but requires the Board of Supervisors to revise the Plan for FY 1993, if necessary, to provide contemporary services. Requires the revisions to be submitted to the MH/MR Commission by October 15, 1992.

CODE: Requires funding to counties for community-based MH/MR/DD/BI services be distributed quarterly, and distribution of the second and

PG LN	House File 2486	Explanation
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4 27 a. ~~Provision of funding~~ Funding provided to a county under
 4 28 subsection 1 shall be distributed in quarterly payments and
 4 29 distribution of the second and succeeding quarterly payments
 4 30 is contingent upon ~~counties establishing~~ the county
 4 31 participating as a member of a mental illness, mental
 4 32 retardation, developmental disabilities, and brain injury
 4 33 (MI/MR/DD/BI) planning ~~councils~~ council. The counties shall
 4 34 meet in consultation with service providers, consumers, and
 4 35 advocates, the department, and other interested parties in
 5 1 establishing the planning councils. A planning council's
 5 2 planning area shall, to the extent possible, utilize the
 5 3 borders of the county clusters as established pursuant to
 5 4 section 217.42, if enacted in Senate File 2342, and shall
 5 5 include a population of at least 40,000 and include counties
 5 6 with a historical pattern of cooperation in providing
 5 7 MI/MR/DD/BI services. The councils shall be established on or
 5 8 before September 1, 1992.

succeeding quarterly payments be contingent upon the county participating as a member of a mental illness (MI)/MR/DD/BI planning council.

5 9 Sec. 10. 1992 Iowa Acts, Senate File 2355, section 25,
 5 10 subsection 7, paragraph b, if enacted by the Seventy-fourth
 5 11 General Assembly, 1992 Session, is amended to read as follows:
 5 12 b. The funds allocated ~~in~~ this subsection shall be
 5 13 expended by counties in accordance with eligibility guidelines
 5 14 established in the department's rules outlining general
 5 15 provisions for service administration. Services eligible for
 5 16 payment with funds allocated in this subsection are limited to
 5 17 any of the following which are provided in accordance with the
 5 18 department's administrative rules for the services: community
 5 19 supervised apartment living arrangements, residential services
 5 20 for adults, sheltered work, supported employment, supported
 5 21 work training, transportation, and work activity,
 5 22 administrative support for volunteers, adult day care, adult
 5 23 support, and family-centered services.

CODE: Includes administrative support for volunteers, adult day care, adult support, and family-centered services as services eligible for payment with funds for local purchase of services for persons with MI/MR/DD.

5 24 Sec. 11. 1992 Iowa Acts, Senate File 2355, section 25,
 5 25 subsection 7, if enacted by the Seventy-fourth General
 5 26 Assembly, 1992 Session, is amended by adding the following new

CODE: Requires the county of residence to pay for services provided under the allocation for the local purchase of services for persons with MI/MR/DD.

5 27 paragraph:

5 28 **NEW PARAGRAPH.** k. The county of residence shall pay for
 5 29 services provided under this subsection. That county may seek
 5 30 reimbursement from the county of legal settlement in
 5 31 accordance with applicable law. If a person receiving
 5 32 services under this subsection has no county of legal
 5 33 settlement, the state shall pay for the services. The rate of
 5 34 payment for services provided under this subsection shall be
 5 35 in accordance with the department's rules for purchase of
 6 1 services and law relating to reimbursement of social services
 6 2 providers.

Permits the county of residence to seek reimbursement from the county of legal settlement, and requires the State to pay for services if an individual has no county of legal settlement.

6 3 Sec. 12. 1992 Iowa Acts, Senate File 2355, section 27,
 6 4 subsection 6, if enacted by the Seventy-fourth General
 6 5 Assembly, 1992 Session, is **amended** to read as follows:
 6 6 6. Notwithstanding section 22SC.20, case management
 6 7 services shall be provided by the department except when a
 6 8 county or a consortium of counties contracts with the
 6 9 department to provide the services. A county or consortium of
 6 10 counties may contract to be the provider at any time and the
 6 11 department shall agree to the contract so long as the contract
 6 12 meets the standards for case management adopted by the
 6 13 department. The county or consortium of counties may
 6 14 subcontract for the provision of case management services if
 6 15 the subcontract meets the same standards. A mental health,
 6 16 mental retardation, and developmental disabilities
 6 17 coordinating board or a planning council established pursuant
 6 18 to section 25, subsection 4, of this Act may change the
 6 19 provider of individual case management services at any time.
 6 20 However, once a planning council is established, the authority
 6 21 to change the provider and responsibility for providing
 6 22 notification shall be assumed by the planning council in place
 6 23 of the coordinating board. If the current or proposed
 6 24 contract is with the department, the coordinating board ~~or~~
 6 25 planning council shall provide written notification of a
 6 26 proposed change to the department on or before August 15 and,
 6 27 written notification of an approved change on or before

CODE: Permits a planning council to change the provider of case management services in place of the coordinating board. Requires the coordinating board or planning council, if the current or proposed contract is with the DHS, to provide written notification of an approved change on or before November 15 in the fiscal year in which the change takes effect.

6 28 ~~October~~ November 15 in the fiscal year which precedes the
6 29 fiscal year in which the change will take effect.

6 30 Sec. 13. 1992 Iowa Acts, Senate File 2355, section 33, if
6 31 enacted by the Seventy-fourth General Assembly, 1992 Session,
6 32 is amended by adding the following new subsection:

6 33 NEW SUBSECTION. 7. The provisions of subsection 5 do not
6 34 revise in any manner the maximum reimbursement rates paid to
6 35 social services providers in the fiscal year beginning July 1,
7 1 1991.

CODE: Specifies that the provision limiting the maximum reimbursement rates for social service providers for FY 1993 to the rates in effect on June 30, 1991 does not revise the maximum reimbursement rates paid to social services providers in FY 1992.

7 2 Sec. 14. NEW SECTION. 217.41 PRIVATE AGENCY CONTRACTS.

7 3 Notwithstanding the provisions of section 11.36, the
7 4 auditor of state shall not require a private agency awarded a
7 5 grant, contract, or purchase of service contract through the
7 6 department of human services to obtain a certification from
7 7 the auditor of state pursuant to section 11.36.

CODE: Prohibits the Auditor of State from requiring a private agency awarded a grant, contract, or purchase of service contract through the DHS to obtain a certification from the Auditor of State.

7 8 Sec. 15. Section 225C.27, unnumbered paragraph 1, Code
7 9 1991, as amended by 1992 Iowa Acts, Senate File 2355, section
7 10 65, if enacted by the Seventy-fourth General Assembly, 1992
7 11 Session, is amended to read as follows:

7 12 Sections 225C.25 through 225C.28B shall be liberally
7 13 construed and applied to promote their purposes and the stated
7 14 rights and service quality standards. The ~~division~~
7 15 commission, in coordination with appropriate agencies, shall
7 16 adopt rules to implement the purposes of section 225C.28B,
7 17 subsections 3 and 4, which include, but are not limited to,
7 18 the following:

CODE: Requires the MH/MR Commission, rather than the MI/MR/DD Division of the DHS, to adopt the specified rules.

7 19 Sec. 16. Section 225C.27, subsection 3, Code 1991, is
7 20 amended by striking the subsection and inserting in lieu
7 21 thereof the following:

7 22 3. Encouraging activities to ensure that recipients of
7 23 services shall not be deprived of any rights, benefits, or
7 24 privileges guaranteed by law, the Constitution of the State of
7 25 Iowa, or the Constitution of the United States solely on

CODE: Requires that activities are encouraged to ensure that recipients of services are not deprived of any of the specified rights, benefits, or privileges solely on account of the receipt of services.

7 26 account of the receipt of the services

7 27 Sec. 17. Section 225C.29, Code 1991, as amended by 1992
7 28 Iowa Acts, Senate File 2355, section 68, is amended to read as
7 29 follows:

7 30 225C.29 COMPLIANCE.

7 31 Except for a violation of section 225C.28B, subsection 2,
7 32 the sole remedy for violation of a rule adopted by the
7 33 ~~division~~ commission to implement sections 225C.25 through
7 34 225C.28B shall be by a proceeding for compliance initiated by
7 35 request to the division pursuant to chapter 17A. Any decision
8 1 of the division shall be in accordance with due process of law
8 2 and is subject to appeal to the Iowa district court pursuant
8 3 to sections 17A.19 and 17A.20 by any aggrieved party. Either
8 4 the division or a party in interest may apply to the Iowa
8 5 district court for an order to enforce the decision of the
8 6 division. Any rules adopted by the ~~division~~ commission to
8 7 implement sections 225C.25 through 225C.28B do not create any
8 8 right, entitlement, property or liberty right or interest, or
8 9 private cause of action for damages against the state or a
8 10 political subdivision of the state or for which the state or a
8 11 political subdivision of the state would be responsible. Any
8 12 violation of section 225C.28B, subsection 2, shall solely be
8 13 subject to the enforcement by the ~~commissioner~~ of insurance
8 14 and penalties granted by chapter 5078 for a violation of
8 15 section 5078.4, subsection 7.

8 16 Sec. 18. RIGHTS AND SERVICE QUALITY STANDARDS --RULES
8 17 REQUIRED. The mental health and mental retardation commission
8 18 shall act to ensure that rules relating to sections 225C.27
8 19 and 225C.28A shall be filed as a notice of intended action by
8 20 July 1, 1994.

8 21 Sec. 19. REPEAL. Sections 225C.18 and 225C.19, Code 1991,
8 22 are repealed effective July 1, 1993.

CODE: Requires the MH/MR Commission, rather than the
MI/MR/DD Division of the DHS, to adopt the rules to
implement Sections 225C.25 through 2256.288, Code of
Iowa.

Requires the MH/MR Commission to act to ensure rules
relating to Sections 225C.27 through 225C.28A, Code
of Iowa, be filed as a notice of intended action by
July 1, 1994.

CODE: Repeals Sections 225C.18 and 225C.19, Code of
Iowa, which relate to county MH/MR coordinating
boards and MH/MR/DD advisory committees effective
July 1, 1993.

PG LN

House File 2486

Explanation

8 23 Sec. 20. NONASSISTANCE CHILD SUPPORT RECOVERY CASES --
 8 24 LIMITATION OF AMOUNT OF ADDITIONAL FEES. The additional fee
 8 25 established by the department of human services pursuant to
 8 26 section 252B.4, subsection 2, if enacted and amended by 1992
 8 27 Iowa Acts, Senate File 2316, section 101, for the fiscal year
 8 28 beginning July 1, 1992, and ending June 30, 1993, shall not
 8 29 exceed \$10.65.

DETAIL: These entities' duties will either be assumed by the MI/MR/DD/BI coordinating boards **or** addressed by the Task Force developing a plan for restructuring the service delivery system for persons with MI/MR/DD/BI.

Prohibits the additional fee established by the DHS for nonassistance child support recovery cases from exceeding \$10.65, if SF 2316 (Child Support Recovery Bill) is enacted.

NOTE: Senate File 2316 was signed by the Governor

8 30 DIVISION III

8 31 Sec. 21. There is appropriated from the general fund of
 8 32 the state to the GAAP deficit reduction account within the
 8 33 department of management for the fiscal year beginning July 1,
 8 34 1992, and ending June 30, 1993, the following amount, or so
 8 35 much thereof as is necessary, for the purpose designated:
 9 1 For reducing the state deficit as determined under
 9 2 generally accepted accounting principles, as defined by the
 9 3 governmental accounting standards board:
 9 4 \$ 28,800,000

General Fund appropriation to the Generally Accepted Accounting Principles (GAAP) Deficit Reduction Account in the Department of Management (DOM) to reduce the State deficit.

9 5 Sec. 22. Contingent upon the enactment of Senate File 2034
 9 6 by the Seventy-fourth General Assembly, 1992 Session, there is
 9 7 appropriated from the increase in use tax revenues collected
 9 8 pursuant to section 423.7, as a result of the increase in the
 9 9 sales and use tax rate, prior to deposit in accordance with
 9 10 section 423.24 in the fiscal year beginning July 1, 1992, to
 9 11 the GAAP deficit reduction account within the department of
 9 12 management for the fiscal year beginning July 1, 1992, and
 9 13 ending June 30, 1993, the following amount, or so much thereof
 9 14 as is necessary, for the purpose designated:

Use Tax Receipts appropriation to the GAAP Deficit Reduction Account in the DOM to reduce the State deficit.

NOTE: This section is contingent upon the enactment of SF 2034 (Sales Tax Increase Bill). Senate File 2034 was vetoed by the Governor.

9 15 For reducing the state deficit as determined under
 9 16 generally accepted accounting principles, as defined by the
 9 17 governmental accounting standards board:
 9 18 \$ 31,200,000

9 19 Sec. 23. The amounts appropriated in sections 21 and 22 of
 9 20 this division shall be reduced by any amount deposited into
 9 21 the cash reserve account created in section 8.56, as provided
 9 22 in 1992 Iowa Acts, House File 2465, if enacted by the Seventy-
 9 23 fourth General Assembly, and any amounts otherwise
 9 24 appropriated for purposes of reducing the state GAAP deficit,
 9 25 The order of reduction shall be the appropriation in section
 9 26 21 and then the appropriation in section 22.

Requires the appropriations to the GAAP Deficit Reduction Account in Sections 21 and 22 be reduced by amount received from the Disproportionate Share Program.

9 27 Sec. 24. MEDICAL ASSISTANCE SUPPLEMENTAL APPROPRIATION.
 9 28 There is appropriated from the general fund of the state to
 9 29 the department of human services for the fiscal year beginning
 9 30 July 1, 1992, and ending June 30, 1993, the following amount,
 9 31 or ~~so~~ much thereof as is necessary, to be used for the
 9 32 purposes designated:
 9 33 For medical assistance, in addition to the funds
 9 34 appropriated for this purpose in Senate File 2355, section 3,
 9 35 if enacted by the Seventy-fourth General Assembly, 1992
 10 1 Session:
 10 2 \$ 25,000,000

General Fund appropriation to the DHS for the Medical Assistance Program.

DETAIL: This is the projected amount by the DHS needed to fully fund the Medical Assistance Program in FY 1993.

10 3 [Sec. 25. Section 422.43, subsection 13, paragraph a,
 10 4 unnumbered paragraph 1, as enacted by 1992 Iowa Acts, Senate
 10 5 File 2116, section 404, as amended by 1992 Iowa Acts, Senate
 10 6 File 2346, section 4, is amended to read as follows:
 10 7 A tax of ~~four~~ five percent is imposed upon the gross
 10 8 receipts from the sales, furnishing, or service of solid waste
 10 9 collection and disposal service.]

VETOED

CODE: Increases the tax on solid waste collection and disposal services from 4.0% to 5.0%.

VETOED: The Governor vetoed this section stating that with the veto of SF 2034 this item must also be vetoed.

10 10 Sec. 26. RECOMMENDATIONS OF THE GOVERNOR'S COMMITTEE ON
 10 11 GOVERNMENT SPENDING REFORM. The general assembly encourages
 10 12 and authorizes the governor to implement the following

Requests the Governor to implement the listed recommendations of the Governor's Committee on Government Spending Reform.

10 13 recommendations of the governor's committee on government
 10 14 spending reform:
 10 15 1. Consolidate and provide for common management of state
 10 16 data processing centers.
 10 17 2. Provide through the state department of transportation
 10 18 for renewal of drivers' licenses by mail.
 10 19 3. Establish state collection standards and policy.
 10 20 4. Identify unrecognized receivables owed the state.
 10 21 5. Review personal computer acquisitions by the state.
 10 22 6. Initiate local government coordination of information
 10 23 systems, subject to approval of the legislative council.
 10 24 7. Consolidate state printing facilities.
 10 25 8. Eliminate the state aircraft pool or consolidate the
 10 26 Iowa state university aircraft pool.
 10 27 9. Develop a uniform financial reporting and accounting
 10 28 system.
 10 29 10. Develop a statewide system for delivery of state-
 10 30 offered services.
 10 31 11. Implement a system for management of federal funds.
 10 32 12. Expand the use of voice mail telephone answering
 10 33 systems.
 10 34 13. Establish an enterprise plan for technology.
 10 35 In addition the governor shall submit to the general
 11 1 assembly by February 1, 1993, a status report delineating the
 11 2 implementation status of all of the recommendations of the
 11 3 governor's committee on government spending and reform.

11 4 [Sec. 27. Section 25 of this division is contingent upon
 11 5 the enactment of Senate File 2034 by the Seventy-fourth
 11 6 General Assembly, 1992 Session. If Senate File 2034 is
 11 7 enacted, section 25 of this division takes effect June 1,
 11 8 1992. This section, being deemed of immediate importance,
 11 9 takes effect upon enactment.]

VETOED

Requires that this section be effective upon
 enactment. States that Section 25 is contingent upon
 the enactment of SF 2034 (Sales Tax Increase Bill).
 If SF 2034 is enacted, then Section 25 takes effect
 on June 1, 1992.

VETOED: The Governor vetoed this section stating
 that with the veto of SF 2034 this item must also be
 vetoed.

11 10 DIVISION IV

11 11 Sec. 28. Section 35A.8, Code 1991, as amended by 1992 Iowa
 11 12 Acts, Senate File 2011, section 10, is amended by adding the
 11 13 following new subsection:

11 14 NEW SUBSECTION. 3. Except for the employment duties and
 11 15 responsibilities assigned to the commandant for the Iowa
 11 16 veterans home, the executive director shall employ such
 11 17 personnel as are necessary for the performance of the duties
 11 18 and responsibilities assigned to the commission. All
 11 19 employees shall be selected on a basis of fitness for the work
 11 20 to be performed with due regard to training and experience and
 11 21 shall be subject to the provisions of chapter 19A.

CODE: Clarifies the employment responsibilities of the Commandant of the Iowa Veterans' Home.

11 22 Sec. 29. Section 219.14, as enacted by 1992 Iowa Acts,
 11 23 Senate File 2011, section 31, is amended by adding the
 11 24 following new unnumbered paragraph before unnumbered paragraph
 11 25 1:

11 26 NEW UNNUMBERED PARAGRAPH. The commandant or the
 11 27 commandant's designee, shall employ such personnel as are
 11 28 necessary for the performance of the duties and
 11 29 responsibilities assigned to the commandant. All employees
 11 30 shall be selected on a basis of fitness for the work to be
 11 31 performed with due regard to training and experience and shall
 11 32 be subject to the provisions of chapter 19A.

CODE: Clarifies the employment responsibilities of the Commandant of the Iowa Veterans' Home.

11 33 DIVISION V

11 34 Sec. 30. Section 422.7, Code Supplement 1991, is amended
 11 35 by adding the following new subsection:

12 1 NEW SUBSECTION. 26. Subtract, to the extent included,
 12 2 payments received by an individual providing unskilled in-home
 12 3 health-related care services pursuant to section 249.3,
 12 4 subsection 2, paragraph a, subparagraph (2), to a member of
 12 5 the individual caregiver's family. For purposes of this
 12 6 subsection, a member of the individual caregiver's family
 12 7 includes a spouse, parent, stepparent, child, stepchild,

CODE: Exempts payments received for unskilled in-home health-related care services provided to a member of an individual caregiver's family from being included in an individual's net income for tax purposes. Defines a member of the individual caregiver's family for the purposes of this subsection.

FISCAL EFFECT: The in-home health-care exemption is

12 8 brother, stepbrother, sister, stepsister, lineal ancestor, or
 12 9 lineal descendant, and such persons by marriage or adoption.
 12 10 A health care professional licensed by an examination board
 12 11 designated in section 147.13, subsections 1 through 10, is not
 12 12 eligible for the exemption authorized in this subsection.

estimated to reduce FY 1993 General Fund revenues by approximately \$100,000.

12 13 Sec. 31. Notwithstanding section 422.73, subsection 2, a
 12 14 claim for credit or refund of the state individual income tax
 12 15 paid for a tax year beginning in the 1988 calendar year, is
 12 16 considered timely filed if the claim is filed with the
 12 17 department of revenue and finance before April 30, 1993, and
 12 18 the claim is based upon the deduction allowed in section 30 of
 12 19 this Act.

CODE: Provides a claim for refunds based on the in-home health-care exemption beginning with tax year 1988, if filed before April 30, 1993.

12 20 [Sec. 32. There is appropriated from the general fund of
 12 21 the state to the department of revenue and finance for the
 12 22 fiscal year beginning July 1, 1991, and ending June 30, 1992,
 12 23 the following amount, or so much thereof as is necessary, for
 12 24 the purpose designated:

VETOED

General Fund supplemental appropriation to the Department of Revenue and Finance for the administration of the Sales and Use Tax increase.

12 25 AUDIT AND COMPLIANCE
 12 26 To supplement funds already appropriated, for
 12 27 administration of the increase in the rate of the sales and
 12 28 use tax:
 12 29 \$ 129,000]

VETOED: The Governor vetoed this section stating that with the veto of SF 2034 (Sales Tax Increase Bill) this item must also be vetoed.

12 30 [Sec. 33. There is appropriated from the general fund of
 12 31 the state to the department of human services for the fiscal
 12 32 year beginning July 1, 1992, and ending June 30, 1993, the
 12 33 following amount, or so much thereof as is necessary, for the
 12 34 purpose designated:

VETOED

General Fund appropriation to the DHS for the Iowa Veterans Home.

12 35 In addition to the funds appropriated for the operation of
 13 1 the Iowa veterans home in 1992 Iowa Acts, Senate File 2355,
 13 2 section 18, if enacted by the Seventy-fourth' General Assembly,
 13 3 1992 Session:
 13 4 \$ 10,000]

VETOED: The Governor vetoed this section stating that the Veteran's Home received \$26.5 million in SF 2355 (Human Services Appropriations Bill), therefore, the supplemental appropriation is not needed.

13 5 [Sec. 34. GENERAL FUND APPROPRIATION FOR COVERED EMPLOYEES

VETOED

General Fund supplemental appropriation to the Salary

13 6 FOR FISCAL YEAR 1992.
 13 7 1. There is appropriated from the general fund of the
 13 8 state to the salary adjustment fund for distribution by the
 13 9 department of management to the various state departments,
 13 10 boards, commissions, councils, and agencies for the fiscal
 13 11 year beginning July 1, 1991, and ending June 30, 1992, the
 13 12 following amount, \$15,100,000, or so much thereof as may be
 13 13 necessary, to fund the annual pay adjustments, expense
 13 14 reimbursements, and related benefits for state employees
 13 15 covered by a collective bargaining agreement.

Adjustment Fund to fund back pay for employees covered by a collective bargaining agreement.

VETOED: The Governor vetoed this section stating that pursuant to the letter of agreement between the State and the employee bargaining units, payment of back compensation to employees is to be made in FY 1993.

13 16 2. Notwithstanding section 8.33, moneys appropriated in
 13 17 subsection 1 that remain unencumbered or unobligated on June
 13 18 30, 1992, shall not revert to the general fund but shall
 13 19 remain available for expenditure to fund the annual pay
 13 20 adjustments, expense reimbursements, and related benefits for
 13.21 state employees for the fiscal year beginning July 1, 1992.

CODE: Requires any funds unencumbered or unobligated in the Salary Adjustment Fund on June 30, 1992 to be used to fund annual pay adjustments and related benefits for State employees beginning July 1, 1992.

VETOED: The Governor vetoed this section stating that pursuant to the letter of agreement between the State and the employee bargaining units, payment of back compensation to employees is to be made in FY 1993.

13 22 [Sec. 35. 1992 Iowa Acts, House File 2490, section 1,
 13 23 unnumbered paragraph 1, if enacted by the Seventy-fourth
 13 24 General Assembly, 1992 Session, is amended to read as follows:
 13 25 There is appropriated from the general fund of the state to
 13 26 the salary adjustment fund for distribution by the department
 13 27 of management to the various state departments, boards,
 13 28 commissions, councils, and agencies for the fiscal year
 13 29 beginning July 1, 1992, and ending June 30, 1993, the
 13 30 following amount, ~~\$101,009,928~~ \$85,909,928, or so much thereof
 13 31 as may be necessary, to fully fund the following annual pay
 13 32 adjustments, expense reimbursements, and related benefits:]

VETOED

CODE: General Fund appropriation to the Salary Adjustment Fund to fund annual pay adjustments and related benefits for State employees.

NOTE: This reduces the appropriation by \$15,100,000, as passed in HF 2490 (Salary Bill).

VETOED: The Governor vetoed this section stating that pursuant to the letter of agreement between the State and the employee bargaining units, payment of back compensation to employees is to be made in FY 1993.

13 33 Sec. 36. 1992 Iowa Acts, Senate File 2345, section 1,

CODE: Technical correction to SF 2345

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13 34 unnumbered paragraph 3, if enacted by the Seventy-fourth
 13 35 General Assembly, 1992 Session, is amended by striking the
 14 1 unnumbered paragraph and inserting in lieu thereof the
 14 2 following:
 14 3 For basic and in-service training relating to public
 14 4 offenses perpetrated due to a victim's protected class status,
 14 5 as provided in section 808.11, subsection 3, if and as amended
 14 6 by the Seventy-fourth General Assembly, 1992 Session:
 14 7 \$ 10,000

(Transportation & Safety Appropriations Bill).

14 8 Sec. 37. 1992 Iowa Acts, Senate File 2345, section 11, if
 14 9 enacted by the Seventy-fourth General Assembly, 1992 Session,
 14 10 is amended to read as follows:
 14 11 SEC. 11. There ~~is~~ appropriated from moneys, other than
 14 12 federal moneys, deposited in the victim compensation fund
 14 13 established under section 912.14 to the department of justice
 14 14 for the fiscal year beginning July 1, 1992, and ending June
 14 15 30, 1993, the following amount, or so much thereof as is
 14 16 necessary, to be used for the purpose designated:
 14 17 For use by the prosecuting attorneys training coordinator
 14 18 in implementing a course of instruction relating to public
 14 19 offenses perpetrated due to a victim's protected class status,
 14 20 as provided in section ~~808-11, subsection-3~~ 729A.4, if and as
 14 21 amended by the Seventy-fourth General Assembly, 1992 Session:
 14 22 \$ 10,000

CODE: Technical correction to SF 2345
 (Transportation & Safety Appropriations Bill).

14 23 Sec. 38. 1992 Iowa Acts, Senate File 2345, section 12, if
 14 24 enacted by the Seventy-fourth General Assembly, 1992 Session,
 14 25 is amended to read as follows:
 14 26 SEC. 12. The state department of transportation shall
 14 27 place a moratorium on the placement of tourist-oriented
 14 28 directional signs within the territorial limits of the Amana
 14 29 colonies and the Amana colonies land use district shall not
 14 30 initiate any action regarding the removal of any existing
 14 31 tourist-oriented directional sign until such time as a
 14 32 comprehensive signing program has been established within the
 14 33 area. The moratorium shall go into effect as of the effective

CODE: Technical correction to SF 2345
 (Transportation & Safety Appropriations Bill).

14 34 date of this Act section.

14 35 Sec. 39. Sections 30 and 31 of this division apply
 15 1 retroactively to January 1, 1988, for tax years beginning on
 15 2 or after that date.

Requires that Sections 30 and 31 relating to the in-home health-care exemption be retroactively effective to January 1, 1988.

15 3 Sec. 40. Sections 32, 34, and 35 of this division, being
 15 4 deemed of immediate importance, take effect upon enactment.

Requires that Sections 32, 34, and 35 relating to the General Fund supplemental appropriation to the Department of Revenue and Finance and the Salary Adjustment Fund be effective upon enactment.

15 5 DIVISION VI

15 6 Sec. 41. The department of economic development may
 15 7 transfer \$25,000 during the fiscal year beginning July 1,
 15 8 1992, and ending June 30, 1993, from the loan repayments under
 15 9 the rural community 2000 program prior to the transfer of the
 15 10 funds to the Iowa finance authority housing improvement fund
 15 11 for purchase of land for a welcome center project based on the
 15 12 department's prioritization report, dated December 1991.
 15 13 Moneys used for the welcome center project require a dollar-
 15 14 for-dollar match.

Permits the Department of Economic Development (DED) to transfer \$25,000 of the loan repayments received during FY 1993, under the Rural Community 2000, to the Welcome Center Program for the purchase of land for a welcome center project based upon the Department's Prioritization Report, dated December 1991. The DED will be permitted to transfer the funds before any of the repayments are transferred to the Iowa Finance Authority Housing Improvement Fund.

15 15 DIVISION VII

15 16 Sec. 42. Notwithstanding the standing appropriation in
 15 17 sections 425A.1 to the family farm tax credit fund and 426.1
 15 18 to the agricultural land tax credit fund, there is
 15 19 appropriated from the general fund of the state to the
 ' 520 agricultural land tax credit fund under section 426.1 for the
 5 21 fiscal year beginning July 1, 1992, the sum of \$41,198,736 of
 5 22 which the first \$10,000,000 shall be deposited into the family
 5 23 farm tax credit fund in lieu of the standing appropriation
 5 24 made in section 425A.1.

CODE: General Fund appropriation to the Agricultural Land Tax Credit Fund.

DETAIL: This reduces the appropriation by \$2,301,264 and specifies that the first \$10.0 million of the \$41.2 million appropriation goes to funding the Family Farm Tax Credit. Notwithstands the section appropriating funds to the Family Farm Tax Credit, reducing the FY 1993 standing appropriation by \$10.0 million.

15 25 Sec. 43.

15 26 1. Notwithstanding the standing appropriation in section
 15 27 405A.8 to the department of revenue and finance for personal
 15 28 property tax replacement under chapter 405A, there is
 15 29 appropriated from the general fund of the state under section
 15 30 405A.8 for the fiscal year beginning July 1, 1992, the sum of
 15 31 \$59,250,060.

CODE: General Fund appropriation to Personal
 Property Tax Replacement.

DETAIL: This reduces the appropriation by
 \$8,486,940.

15 32 2. Notwithstanding the standing appropriation in section
 15 33 425.39, the amount appropriated from the general fund of the
 15 34 state under section 425.39, for the fiscal year beginning July
 15 35 1, 1992, for purposes of implementing the extraordinary
 16 1 property tax and reimbursement division of chapter 425, shall
 16 2 not exceed \$11,363,156. The director shall pay, in full, all
 16 3 claims to be paid during the fiscal year beginning July 1,
 16 4 1992, for reimbursement of rent constituting property taxes
 16 5 paid. If the amount of claims for credit for property taxes
 16 6 due to be paid during the fiscal year beginning July 1, 1992,
 16 7 exceed the amount remaining after payment to renters the
 16 8 director of revenue and finance shall prorate the payments to
 16 9 the counties for the property tax credit. In order for the
 16 10 director to carry out the requirements of this subsection,
 16 11 notwithstanding any provision to the contrary in sections
 16 12 425.16 through 425.39, claims for reimbursement for rent
 16 13 constituting property taxes paid filed before May 1, 1993,
 16 14 shall be eligible to be paid in full during the fiscal year
 16 15 ending June 30, 1993, and those claims filed on or after May
 16 16 1, 1993, shall be eligible to be paid during the fiscal year
 16 17 beginning July 1, 1993, and the director is not required to
 16 18 make payments to counties for the property tax credit before
 16 19 June 15, 1993.

CODE: Limits the appropriation for the extraordinary
 Property Tax and Rent Reimbursement Credit. The
 Department of Revenue and Finance is directed to
 fully pay claims for rent reimbursement, and if
 claims exceed the \$11.4 million level, to prorate
 reimbursements to counties for property tax relief
 claimed by homeowners.

16 20 Sec. 44. Notwithstanding the standing appropriations in
 16 21 the following designated sections for the fiscal year
 16 22 beginning July 1, 1992, the amount appropriated from the,
 16 23 general fund of the state pursuant to those sections for the
 16 24 following designated purposes shall not exceed the following

Limits the listed General Fund appropriations for
 reimbursement to counties for the loss of property
 tax revenues.

16 25 amounts:
 16 26 1. To reimburse counties for the loss of property tax
 16 27 revenues as follows:

16 28 a. Homestead tax credit under section 425.1:
 16 29 \$ 98,498,125

16 30 b. Military service tax credit under section 426A.1:
 16 31 \$ 2,969,258

16 32 c. Machinery and computer equipment tax replacement under
 16 33 section 4278.13:
 16 34 \$ 0

16 35 If the amounts of calculated county reimbursement exceed
 17 1 the amount specified in this subsection the director of
 17 2 revenue and finance shall prorate the amount available.

17 3 2. For payment of franchise tax allocations to cities and
 17 4 counties under section 422.65:
 17 5 \$ 9,279,677

17 6 If the amounts to be allocated as computed under section
 17 7 422.65 to cities and counties exceed the amount available
 17 8 under this subsection, the director of revenue and finance
 17 9 shall prorate the amount to be paid to each city and county.

17 10 3. For the payment of claims of public school districts
 17 11 for transportation services to nonpublic school pupils under
 17 12 section 285.2:
 17 13 \$ 5,888,729

CODE: Appropriates \$12.0 million less than the estimated amount needed to fully fund the Homestead Credit.

CODE: Appropriates \$200,000 less than the estimated amount needed to fully fund the Military Service Tax Credit.

CODE: Appropriates no funds to the Machinery and Computer Equipment Tax Replacement, which is \$5.0 million less than the estimated amount needed to fully fund the replacement.

Requires the Department of Revenue and Finance to prorate claims among the counties.

CODE: Appropriates \$720,323 less than the estimated amount needed for full funding.

Requires the Department of Revenue and Finance to prorate claims among the cities and counties.

CODE: General Fund appropriation for transportation services to nonpublic students.

DETAIL: This is a decrease of \$15,298 compared to the estimated net FY 1992 appropriation. Claims will be prorated to meet this appropriation. This standing unlimited was also capped in FY 1992.

<p>17 14 4. To pay the state's portion of the cost of benefits 17 15 calculated in section 411.20, subsections 2 and 3, under 17 16 section 411.20, subsection 1: . 17 17 \$ 3,097,606</p> <p>17 18 Sec. 45. Notwithstanding the requirement in section 17 19 99E.10, subsection 1, to transfer lottery revenue remaining 17 20 after expenses are deducted, notwithstanding the requirement 17 21 under section 99E.20, subsection 2, for the commissioner to 17 22 certify and transfer a portion of the lottery fund to the 17 23 CLEAN fund, and notwithstanding the appropriations and 17 24 allocations in section 99E.34, all lottery revenues received 17 25 during the fiscal year beginning July 1, 1992, and ending June 17 26 30, 1993, after deductions for expenses as provided in section 17 27 99E.10, subsection 1, and as appropriated under any Act of the 17 28 74th General Assembly, 1992 Session, shall not be transferred 17 29 to and deposited into the CLEAN fund but shall be transferred 17 30 and credited to the general fund of the state.</p> <p>17 31 Sec. 46. Section 234.38, subsection 1, Code 1991, as 17 32 amended by 1992 Iowa Acts, House File 2480, section 26, is 17 33 amended to read as follows: 17 34 + The department of human services shall make 17 35 reimbursement payments directly to foster parents for services 18 1 provided to children pursuant to section 234.6, subsection 6, 18 2 paragraph b, or section 234.35. For each of the following 18 3 In any fiscal years year, the reimbursement rate shall be 18 4 based upon the indicated percentage <u>sixty-five percent</u> of the 18 5 United States department of agriculture estimate of the cost 18 6 to raise a child in the calendar year immediately preceding</p>	<p>Claims for transportation are approximately \$6.3 million.</p> <p>CODE: General Fund appropriation for retirement benefits of local police and firefighters.</p> <p>DETAIL: Requires the standing unlimited appropriation for retirement benefit enhancements for local police and firefighters passed by the Sixty-sixth General Assembly be capped at the specified amount.</p> <p>CODE: Requires the transfer of FY 1993 Lottery revenues, after expenses are deducted (Lottery profits) and after any appropriations from the fund are deducted, to the General Fund.</p> <p>DETAIL: The DOM projects that Lottery profits will be \$33.7 million for FY 1993. The 1992 General Assembly appropriated \$250,000 from the Lottery Fund to the World Food prize in HF 2459 (Administration Appropriations Bill), leaving \$33.4 million for transfer to the General Fund.</p> <p>CODE: Requires that the reimbursement rate to specified foster parents be based on 65.0% of the USDA estimate of the cost to raise a child in the calendar year preceding the fiscal year. Deletes language incrementally increasing the percentage to a maximum of 80.0% of the USDA estimate in subsequent years.</p>
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18 7 the ~~indicated~~ fiscal year: ~~1992-1993, sixty-five percent;~~
 18 8 ~~1993-1994, seventy-five percent; and 1994-1995 and subsequent~~
 18 9 ~~fiscal years, eighty percent.~~ The department may pay an
 18 10 additional stipend for a child with special needs.

18 11 Sec. 47. Section 257.6, subsection 1, Code 1991, is
 18 12 amended by adding the following new paragraphs:
 18 13 NEW PARAGRAPH. e. Resident pupils receiving competent
 18 14 private instruction from a licensed practitioner provided
 18 15 through a public school district pursuant to chapter 299A
 18 16 shall be counted as six-tenths of one pupil.

CODE: Reduces the weighting for pupils receiving competent private instruction by a licensed practitioner from 1.0 to 0.6 beginning in FY 1993.

18 17 NEW PARAGRAPH. f. Resident pupils receiving competent
 18 18 private instruction under dual enrollment pursuant to chapter
 18 19 299A shall be counted as one-tenth of one pupil.

CODE: Reduces the weighting for pupils dually enrolled in competent private instruction from 1.0 to 0.1 beginning in FY 1993.

18 20 Sec. 48. Section 299A.2, Code Supplement 1991, is amended
 18 21 to read as follows:

18 22 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
 18 23 PRACTITIONER.

18 24 If a licensed practitioner provides competent instruction
 18 25 to a child of compulsory attendance age, the practitioner
 18 26 shall possess a valid license or certificate which has been
 18 27 issued by the state board of educational examiners under
 18 28 chapter 260 and which is appropriate to the ages and grade
 18 29 levels of the children to be taught. Competent private
 18 30 instruction may include, but is not limited to, instruction or
 18 31 instructional supervision offered through an accredited
 18 32 nonpublic school or public school district by a teacher, who
 18 33 is employed by the accredited nonpublic school or public
 18 34 school district, who assists and supervises a parent,
 18 35 guardian, or legal custodian in providing instruction to a
 19 1 child. If competent private instruction is provided through a
 19 2 public school district, the child shall be enrolled and
 19 3 included in the basic enrollment of the school district as
 19 4 provided in section 257.6. Sections 299A.3 through 299A.7 do
 19 5 not apply to competent private instruction provided by a

CODE: Technical change relating to the changes in competent private instruction.

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House File 2486

Explanation

19 6 licensed practitioner under this section.

19 7 Sec. 49. Section 299A.8, Code Supplement 1991, is amended
19 8 to read as follows:

19 9 299A.8 DUAL ENROLLMENT.

19 10 If a parent, guardian, or legal custodian of a child who is
19 11 receiving competent private instruction under this chapter
19 12 submits a request, the child shall also be registered in a
19 13 public school for dual enrollment purposes. If the child is
19 14 enrolled in a public school district for dual enrollment
19 15 purposes, the child shall be permitted to participate in any
19 16 academic activities in the district and shall also be
19 17 permitted to participate on the same basis as public school
19 18 children in any extracurricular activities available to
19 19 children in the child's grade or group, and the parent,
19 20 guardian, or legal custodian shall not be required to pay the
19 21 costs of any annual testing under this chapter. If the child
19 22 is enrolled for dual enrollment purposes, the child shall be
19 23 included in the public school's basic enrollment under
19 24 ~~sections 442.4 and section 257.6 and shall be counted as one~~
19 25 ~~pupil.~~

19 26 Sec. 50. 1992 Iowa Acts, Senate File 2320, section 11, if
19 27 enacted by the Seventy-fourth General Assembly, 1992 Session,
19 28 is repealed.

19 29 Sec. 51. Sections 47, 48, 49, and 50 of this Act, being
19 30 deemed of immediate importance, take effect upon enactment for
19 31 the purpose of computations required for payment of state aid
19 32 to and levying of property taxes by school districts for the
19 33 budget year beginning July 1, 1992.

CODE: Technical change relating to dual enrollment.

CODE: Eliminates an alternative change to competent private instruction.

DETAIL: Senate File 2320 reduced the weighting for students in competent private instruction by a licensed practitioner from 1.0 to an amount equal to the portion of time the students spent in the classroom.

Provides that Sections 47 - 50 relating to competent private instruction and dual enrollment be effective upon enactment.

19 34 Sec. 52. There is appropriated from the general fund of
 19 35 the state to the office of the governor for the fiscal year
 20 1 beginning July 1, 1992, and ending June 30, 1993, the
 20 2 following amounts, or *so* much thereof as is necessary, to be
 20 3 used for the purposes designated:
 20 4 In addition to funds appropriated in 1992 Iowa Acts, House
 20 5 File 2459, section 7, if enacted by the Seventy-fourth General
 20 6 Assembly, 1992 Session, for salaries, support, maintenance,
 20 7 and miscellaneous purposes for the general office of the
 20 8 governor:
 20 9 \$ 50,000

General Fund appropriation to the Office of the Governor.

DETAIL: This appropriation restores the reduction made by HF 2459 and maintains the current level of service.

20 10 Sec. 53. There is appropriated from the general fund of
 20 11 the state to the department of management for the fiscal year
 20 12 beginning July 1, 1992, and ending June 30, 1993, the
 20 13 following amount, or *so* much thereof as is necessary, to be
 20 14 used for the purposes designated:
 20 15 In addition to the funds appropriated in 1992 Iowa Acts,
 20 16 House File 2459, section 9, if enacted by the Seventy-fourth
 20 17 General Assembly, 1992 Session, for salaries, support,
 20 18 maintenance, miscellaneous purposes, and for not more than the
 20 19 following full-time equivalent positions:
 20 20 \$ 35,000

General Fund appropriation to the DOM.

DETAIL: This appropriation restores the reduction made by HF 2459 and maintains the current level of service.

20 22 mg/pk/25 . .

**EXECUTIVE SUMMARY
CLAIMS BILL**

HOUSE FILE 2488

GENERAL FUND CLAIM

• Appropriates \$8,000 from the General Fund to the Eastman Kodak Company in Cedar Rapids, Iowa for settlement of a claim against the State for overpaid real ~~estate~~ transfer taxes. (Page 1, Line 1)

1 1 Section 1. There is appropriated from the general fund of
 1 2 the state to the following person the amount set opposite the
 1 3 person's name in full settlement of a claim, filed by the
 1 4 person in the amount of \$16,872.07 for overpayment of the real
 1 5 estate transfer tax, which the person has against the state of
 1 6 Iowa:

General Fund appropriation to the Eastman Kodak Company in Cedar Rapids, Iowa for settlement of a claim against the State for overpaid real estate transfer taxes.

1 7 Claimant's	Claim No.	Nature	Amount
1 8 Name	of Claim		
1 9 Eastman Kodak	G91-0146	Real estate	\$8,436.00
1 10 Company		transfer tax	
1 11 Cedar Rapids, Iowa			

1 12 Sec. 2. The general assembly disapproves of all other
 1 13 claims submitted and considered by the joint appropriations
 1 14 subcommittee on claims as of April 22, 1992.

Specifies that the General Assembly disapproves all other claims submitted and considered as of April 22, 1992.

1 15 EXPLANATION
 1 16 This bill appropriates \$8,436 to Eastman Kodak Company in
 1 17 full settlement of its claim for overpaid real estate transfer
 1 18 taxes on property acquired by Eastman Kodak Company in Cedar
 1 19 Rapids, Iowa. The amount appropriated is one-half the amount
 1 20 claimed. All other claims submitted and considered are dis-
 1 21 approved.

1 22 LSB 6329HV 74
 1 23 mk/jw

EXECUTIVE SUMMARY SALARY BILL

HOUSE FILE 2490

SECOND EXTRAORDINARY SESSION ADJUSTMENTS

• *Additional appropriations were made to fund salary adjustments in SF 2393, the Second Extrordinary Session Bill, to replace funds vetoed from this bill. Please refer to the executive summary of SF 2393 for more detail.*

APPROPRIATIONS

• Appropriates **\$101.0** million from the General Fund, **\$5.2** million ~~from~~ the ~~Road Use Tax~~ Fund, and **\$14.0** million from the Primary Road Fund for salary adjustments. (Page 1, Line 1; Page 4, Line 24; and Page 4, Line 33) *This item was vetoed by the Governor.*

GENERAL PROVISIONS

-Fully funds arbitration decisions for contract-covered employees in all collective bargaining units. The two-year salary increases in the various agreements range **from 9.0% to 10.5%**. (Page 1, Line 1) *This item was vetoed by the Governor.*

*Allows Board of Regents' noncovered faculty a 7.0% increase for FY **1993**. (page 4, Line 12)

• Allows other noncovered employees within the State a 6.0% increase and a merit **step** increase for FY **1993**. (Page 2, Line 8)

STUDIES AND INTENT LANGUAGE

*Requires the Department of Personnel (IDOP) **to** conduct a comparable **worth** study **in** regard to the impact of this Act and requires a report of the study **to** be submitted **to** the General Assembly by February **1, 1993**. A committee is appointed to **oversee** the study. The Judicial Department is to conduct a similar study. (Page 5, Line 32 and Page 6, Line 14) *This item was vetoed by the Governor.*

GOVERNOR'S VETOES

• The Governor vetoed the appropriation of **\$101.0** million **because** it provides larger salary increases **to** contract-covered employees and is contrary **to** comparable worth. (Page 1, Line 1)

• The Governor vetoed salary increases for employees of regional libraries **because** they are not State employees. (Page 4, Line 18)

• The Governor vetoed the comparable worth study by the IDOP and a similar study by the Judicial Department **because** the studies will be unnecessary if the Legislature passes a salary bill in which all employees receive the **same** percentage increase. (Page 5, Line 32 and Page 6, Line 14)

1 1 [Section 1. COLLECTIVE BARGAINING AGREEMENTS FUNDED -- VETOED
 1 2 GENERAL FUND APPROPRIATION FOR COVERED AND NONCOVERED
 1 3 EMPLOYEES. There is appropriated from the general fund of the
 1 4 state to the salary adjustment fund for distribution by the
 1 5 department of management to the various state departments,
 1 6 boards, commissions, councils, and agencies for the fiscal
 1 7 year beginning July 1, 1992, and ending June 30, 1993, the
 1 8 following amount, \$101,009,928, or so much thereof as may be
 1 9 necessary, to fully fund the following annual pay adjustments,
 1 10 expense reimbursements, and related benefits:
 1 11 1. The collective bargaining agreement negotiated pursuant
 1 12 to chapter 20 for employees in the blue collar bargaining
 1 13 unit.
 1 14 2. The collective bargaining agreement negotiated pursuant
 1 15 to chapter 20 for employees in the state police officers
 1 16 council bargaining unit.
 1 17 3. The collective bargaining agreement negotiated pursuant
 1 18 to chapter 20 for employees in the security bargaining unit.
 1 19 4. The collective bargaining agreement negotiated pursuant
 1 20 to chapter 20 for employees in the technical bargaining unit.
 1 21 5. The collective bargaining agreement negotiated pursuant
 1 22 to chapter 20 for employees in the professional fiscal and
 1 23 staff bargaining unit.
 1 24 6. The collective bargaining agreement negotiated pursuant
 1 25 to chapter 20 for employees in the university of northern Iowa
 1 26 faculty bargaining unit.
 1 27 7. The collective bargaining agreement negotiated pursuant
 1 28 to chapter 20 for employees in the clerical bargaining unit.
 1 29 8. The collective bargaining agreement negotiated pursuant
 1 30 to chapter 20 for employees in the professional social
 1 31 services bargaining unit.
 1 32 9. The collective bargaining agreement negotiated pursuant
 1 33 to chapter 20 for employees in the community-based corrections
 1 34 bargaining unit.
 1 35 10. The collective bargaining agreement negotiated
 2 1 pursuant to chapter 20 for employees in the judicial branch of

General Fund appropriation to the Salary Adjustment Fund to be distributed by the Department of Management (DOM) to the various State departments, boards, commissions, councils, and agencies to pay salary increases negotiated by the bargaining units as listed.

DETAIL: The appropriation fully funds arbitration decisions for contract-covered employees in all collective bargaining units. These include: American Federation of State, County, and Municipal Employees (AFSME); Iowa United Professionals (IUP); United Faculty of Iowa (UFI); State Police Officer's Council (SPOC); and the Public, Profession, and Maintenance Employees (PPME) unions. The two-year salary increase in the various agreements ranges from 9.0% to 10.5%.

NOTE: House File 2486 (Standings Appropriations Limitations Bill) amends HF 2490 by striking the \$101.0 million appropriation for FY 1993 and appropriates \$15.1 million for FY 1992 and \$85.9 million for FY 1993. The \$85.9 million is to pay FY 1993 salary increases and the \$15.1 million is to pay remaining salary increase costs (back pay and interest) for FY 1992. A General Fund appropriation of \$3.1 million was made to the Salary Adjustment Fund in SF 2367 (FY 1992 Adjustments and Salaries Bill) to pay increases for contract-covered employees for the FY 1992 period from April 24, 1992 to the end of FY 1992.

VETOED: The Governor vetoed this section because it provides larger salary increases for contract-covered employees than noncovered employees and is contrary to the provisions of comparable worth.

PG LN	House File 2490	Explanation
2 government bargaining unit.		
2 4 expense reimbursements referred to in sections 2 and 3 of this 2 5 Act for employees not covered by a collective bargaining 2 6 agreement.]		
2 7 Sec. 2. NONCONTRACT STATE EMPLOYEES -- GENERAL.		Provides the following changes to noncontract State employee pay plans:
		<ol style="list-style-type: none"> 1. Increases the FY 1992 base pay plans by 2.0%. 2. Increases the FY 1993 base pay plans by 4.0%. 3. Provides a \$400 cash bonus in December 1992. 4. Reimplements merit increases for FY 1993. 5. Does not authorize retroactive pay adjustments.
		DETAIL: Noncontract employees will receive a net pay increase of 6.0% effective for FY 1993 with a \$400 cash bonus in December. Back pay will not be provided for the FY 1992 pay plan adjustment.
2 29 2. The pay plans for state employees who are exempt from 2 30 chapter 19A end who are included in the department of revenue 2 31 and finance's centralized payroll system, and the board office 2 32 employees of the state board of regents shall be increased by 2 33 the same percentages and in the same manner as provided in 2 34 subsection 1, including the bonus of four hundred dollars in 2 35 December 1992 and the merit increases.		Provides that the Centralized Payroll staff of the Department of Revenue and Finance and Board Office employees of the Board of Regents will receive the same pay plan adjustments as noncontract employees in Section 2.1 of this Act.

3 1 3. This section does not apply to members of the general
 3 2 assembly, board members, commission members, salaries of
 3 3 persons set by the general assembly pursuant to this Act, or
 3 4 set by the governor, employees designated under section 19A.3,
 3 5 subsection 5, and employees under the state board of regents,
 3 6 but subsection 2 does apply to office employees of the state
 3 7 board of regents.

Specifies that the noncontract pay plan adjustments do not apply to:

1. Members of the General Assembly.
2. Board or commission members.
3. Salaries set by the General Assembly.
4. Salaries set by the Governor.
5. Employees under Section 19A.3, subsection 5, Code of Iowa (presidents, deans, directors, teachers, professional and scientific personnel, and student employees under the direction of the Board of Regents).
6. Employees of the Board of Regents (except Board Office employees).

3 8 4. The pay plans for the bargaining eligible employees of
 3 9 the state shall be increased by the same percentages and in
 3 10 the same manner as provided in subsection 1, including the
 3 11 bonus of four hundred dollars in December 1992 and merit
 3 12 increases. As used in this section, bargaining eligible
 3 13 employee means an employee who is eligible to organize under
 3 14 chapter 20, but has not done *so*.

Increases the pay plans of bargaining eligible employees in the same amounts as noncontract plans in Section 2.1 of this Act. Bargaining eligible employees are defined as employees eligible to organize under Chapter 20, but have not done *so*.

3 15 5. The policies for implementation of this section shall
 3 16 be approved by the governor.

Requires the Governor to approve implementation of pay plan adjustments in this section.

3 17 **Sec. 3. NONCONTRACT STATE EMPLOYEES -- STATE BOARD OF**
 3 18 **REGENTS.** The funds allocated to the state board of regents
 3 19 for the purpose of providing increases for employees not
 3 20 covered by a collective bargaining agreement shall be used as
 3 21 follows:

Requires the Board of Regents to increase base salaries of noncovered professional and scientific staff in the same amount as noncontract employees in Section 2.1 of this Act, to be allocated at the discretion of the Board of Regents.

3 22 1. The amount necessary to fund for the fiscal year
 3 23 beginning July 1, 1992, and ending June 30, 1993, an average
 3 24 base salary increase in an amount equal to the salary increase
 3 25 received by state employees in subsection 1 of section 2 of
 3 26 this Act for the fiscal year beginning July 1, 1992, of the

PG LN

House File 2490

Explanation

3 27 base salaries of professional and scientific staff members,
 3 28 except board office employees as provided for in section 2 of
 3 29 this Act, paid during the preceding fiscal year, to be
 3 30 allocated to professional and scientific staff members at the
 3 31 discretion of the state board of regents.

3 32 2. For employees under the state board of regents merit
 3 33 system who are not included in the collective bargaining
 3 34 agreement made final under chapter 20, except board office
 3 35 employees, the amount necessary to fund an average base salary
 4 1 increase in an amount equivalent to the salary increase
 4 2 received by state employees in subsection 1 of section 2 of
 4 3 this Act for the fiscal year beginning July 1, 1992, to be
 4 4 allocated to the employees of the state board of regents merit
 4 5 system who are not included in the collective bargaining
 4 6 agreement made final under chapter 20 at the discretion of the
 4 7 state board of regents. The employees shall receive a bonus
 4 8 of four hundred dollars each, payable in December 1992. In
 4 9 addition to the increases specified above, employees may
 4 10 receive a merit increase or the equivalent of a merit
 4 11 increase.

4 12 3. For faculty members who are not included in the
 4 13 collective bargaining agreement made final under chapter 20,
 4 14 for the fiscal year beginning July 1, 1992, and ending June
 4 15 30, 1993, an average base salary increase of 7 percent for the
 4 16 fiscal year beginning July 1, 1992, to be allocated at the
 4 17 discretion of the state board of regents.

4 18 [Sec. 4. REGIONAL LIBRARIES. Of the funds appropriated
 4 19 from the general fund of the state in section 1 of this Act,
 4 20 the department of management shall allocate funds to pay the
 4 21 state's share of authorized salary increases for the fiscal
 4 22 year beginning July 1, 1992, and ending June 30, 1993, for
 4 23 regional libraries.]

VETOED

Requires the Board of Regents to increase base salaries of noncovered Regents merit system employees in the same amount as noncontract State employees in Section 2.1 of this Act, to be allocated at the discretion of the Board of Regents.

Provides a 7.0% increase for noncovered faculty members for FY 1993 to be allocated at the discretion of the Board of Regents.

Requires DOM to allocate from the funds appropriated to pay salary increases for the staff at the regional libraries.

VETOED: The Governor vetoed this section because employees of the regional libraries are not State employees.

PG LN	House File 2490	Explanation
4 24	Sec. 5. APPROPRIATIONS FROM ROAD FUNDS.	Road Use Tax Fund (RUTF) appropriation to the Salary Adjustment Fund.
4 25	1. There is appropriated from the road use tax fund to the	NOTE: A RUTF supplemental appropriation of \$231,736 was made to the Salary Adjustment Fund in SF 2367 (FY 1992 Adjustments and Salaries Bill) to pay increases for contract-covered employees for FY 1992 from April 24, 1992 through June 30, 1992.
4 26	salary adjustment fund for the fiscal year beginning July 1,	
4 27	1992, and ending June 30, 1993, the following amount, or so	
4 28	much thereof as may be necessary, to be used for the purpose	
4 29	designated:	
4 30	To supplement other funds appropriated by the general	
4 31	assembly:	
4 32	..... \$ 5,159,862	
4 33	2. There is appropriated from the primary road fund to the	Primary Road Fund (PRF) appropriation to the Salary Adjustment Fund.
4 34	salary adjustment fund, for the fiscal year beginning July 1,	
4 35	1992, and ending June 30, 1993, the following amount, or so	
5 1	much thereof as may be necessary, to be used for the purpose	NOTE: A PRF supplemental appropriation of \$598,062 was made to the Salary Adjustment Fund in SF 2367 (FY 1992 Adjustments and Salaries Bill) to pay increases for contract-covered employees for FY 1992 from April 24, 1992 through June 30, 1992.
5 2	designated:	
5 3	To supplement other funds appropriated by the general	
5 4	assembly:	
5 5	..... \$ 14,030,835	
5 6	3. Except as otherwise provided in this Act, the amounts	Requires appropriations from the RUTF and PRF to be used as provided in this Act.
5 7	appropriated in subsections 1 and 2 shall be used to fund the	
5 8	annual pay adjustments, expense reimbursements, and related	
5 9	benefits for public employees as provided in the Act.	
5 10	Sec. 6. BACK PAY. The moneys appropriated in this Act	Allows the funds appropriated in this Act to be used to pay back pay and interest payments for employees contract-covered by collective bargaining agreements for FY 1992 salary adjustments.
5 11	shall also be used to pay annual pay adjustments, interest,	
5 12	and related benefits due employees covered by collective	
5 13	bargaining agreements negotiated pursuant to chapter 20 for	
5 14	the fiscal year beginning July 1, 1991, and ending June 30,	
5 15	1992.	NOTE: Additional funds to pay back pay and interest for FY 1992 pay adjustments were provided in SF 2367
5 16	Sec. 7. SPECIAL FUNDS -- AUTHORIZATION. To departmental	Provides' supplemental expenditure authorization for revolving trust funds, or other special funds, except the RUTF and PRF, to be used to fund salary adjustments.
5 17	revolving, trust, or special funds, except for the primary	
5 18	road fund or the road use tax fund, for which the general	
5 19	assembly has established an operating budget, a supplemental	
5 20	expenditure authorization is provided, unless otherwise	

PG LN **House File 2490** **Explanation**

5 21 provided, in an amount necessary to fund salary adjustments as
5 22 otherwise provided in this Act.

5 23 Sec. 8. GENERAL FUND SALARY MONEYS. Funds appropriated
5 24 from the general fund of the state in this Act relate only to
5 25 salaries supported from general fund appropriations of the
5 26 state.

Requires monies appropriated from the General Fund for salary adjustments be used only for salaries funded from the General Fund.

5 27 Sec. 9. FEDERAL FUNDS APPROPRIATED. All federal grants to
5 28 and the federal receipts of the agencies affected by this Act
5 29 which are received and may be expended for purposes of this
5 30 Act are appropriated for those purposes and as set forth in
5 31 the federal grants or receipts.

Requires eligible federal funds received to be expended for salary adjustments where appropriate.

5 32 [Sec. 10. PERSONNEL COMPARABLE WORTH STUDY. The department
5 33 of personnel shall conduct a study to determine the impact of
5 34 the salary adjustment provisions in this Act and the changes
5 35 in salary relationships as a result of the implementation of
6 1 this Act, and to identify issues of concern, including
6 2 possible disparities affecting compensation equity. The
6 3 department shall complete its study and report its findings
6 4 and recommendations to the general assembly by February 1,
6 5 1993. A committee shall be appointed to supervise the study
6 6 and shall have seven members, including six legislators and
6 7 one member appointed by the governor. The legislative members
6 8 shall consist of two members of the majority party and one
6 9 member of the minority party from the house of representatives
6 10 and the senate. The legislative members shall be selected by
6 11 the speaker of the house, the majority leader of the senate,
6 12 and the minority leaders of the house of representatives and
6 13 the senate.

Requires the Department of Personnel to conduct a study regarding issues of concern as a result of salary adjustments in this Act, including possible disparities in pay equity (comparable worth), and to submit a report of the study to the General Assembly by February 1, 1993. A committee is appointed to oversee the study.

VETOED: The Governor vetoed this section because a study will be unnecessary if a new version of the salary bill provides the same percentage increases for all State employees.

6 14 The judicial department shall conduct a separate study of
6 15 the impact of the salary adjustment provisions of this Act
6 16 related to the judicial department.]

Requires the Judicial Department to conduct a separate study regarding issues of concern as a result of salary adjustment in this Act relating to the Judicial Department.

Vt IOED: The Governor vetoed this section for the same reason as the previous section.

6 17 HF 2490

6 18 tj/pk/25

**EXECUTIVE SUMMARY
MUNICIPAL INVESTMENT RECOVERY PROGRAM BILL**

SENATE FILE 2064

**MUNICIPAL INVESTMENT
RECOVERY PROGRAM**

- Establishes a Municipal Investment Recovery **Program** in the Iowa Finance **Authority** (IFA). The Authority may issue **bonds** or **secured** notes for loans to municipalities who have lost invested **funds**. Bonds issued under this **Program** are not obligations of the **State**, but are obligations of **the** IFA. The bonds will **be** exempt from State and federal **taxes**. The **Program** will sunset **on August 1, 1993**.

CONTINGENT APPROPRIATION

- Provides a contingent appropriation of up to \$665,000 to the First and **Third Judicial** District Departments of Correctional Services if the lost funds are not recovered.

**EXECUTIVE SUMMARY
UST ADMINISTRATION APPROPRIATIONS BILL**

SENATE FILE 2282

**UNDERGROUND STORAGE TANK
(UST) FUND APPROPRIATION**

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

• Appropriates \$136,000 to the Department of Natural Resources (DNR) for activities associated with underground storage tanks regulation. The appropriation is from the Unassigned Revenue Fund of the UST Program. (Page 1, Line 14)

-Expands the definition of administrative expense payable from UST funds to include underground storage tank regulation activities of the DNR. (Page 1, Line 1)

.Deletes the requirement that the DNR designate at least 2 sites within the State as disposal sites for used underground storage tanks. (Page 1, Line 23)

Senate File 2282

Senate File 2282 provides for the following changes to the Code of Iowa.

<u>Page #</u>	<u>Line #</u>	<u>Bill Section</u>	<u>Action</u>	<u>Code Section Changed</u>	<u>Description</u>
1	1	1	Amends	Sec. 455G.6(15)	DNR Administration Allowed
1	23	3	Repeals	Sec. 4558.490	Designated Storage Tank Deposit Site

1 1 Section 1. Section 455G.6, subsection 15, Code 1991, is
 1 2 amended to read as follows:
 1 3 15. Subject to the terms of any bond documents, moneys in
 1 4 the fund or fund accounts may be expended for administration
 1 5 expenses, civil penalties, moneys paid under an agreement,
 1 6 stipulation, or settlement, and for the costs of any other
 1 7 activities as the board may determine are necessary and
 1 8 convenient to facilitate compliance with and to implement the
 1 9 intent of federal laws and regulations and this chapter. For
 1 10 purposes of this chapter, administration expenses include
 1 11 expenses incurred by the underground storage tank section of
 1 12 the department of natural resources in relation to tanks
 1 13 regulated under this chapter.

CODE: Expands the definition of administrative expenses payable from the Underground Storage Tank (UST) Funds to include underground storage tank activities of the DNR.

1 14 Sec. 2. There is appropriated from the unassigned revenue
 1 15 fund administered by the Iowa comprehensive petroleum
 1 16 underground storage tank board, to the department of natural
 1 17 resources for the fiscal year beginning July 1, 1992, and
 1 18 ending June 30, 1993, the following amount, or so much thereof
 1 19 as is necessary, to be used for the purpose designated:
 1 20 For administration expenses of the underground storage tank
 1 21 section of the department of natural resources:
 1 22 \$ 136,000

Appropriates funds from the Unassigned Revenue Account of the UST Program to the Department of Natural Resources (DNR) to cover expenses associated with the Department's underground storage tank activities.

DETAIL: This appropriation is new for FY 1993. The funds are needed due to the Department's expanded activities in the area of underground storage tank regulation and because the federal government now requires a 10.0% match for federal underground storage tank monies.

1 23 Sec. 3. Section 4558.490, Code 1991, is, repealed.

CODE: Deletes the requirement that the DNR designate at least 2 sites within the State as disposal sites for used underground storage tanks.

DETAIL: Disposal of used underground storage tanks has not proven to be a problem, so designation of specific sites is not necessary.

1 24 EXPLANATION
 1 25 This bill defines administration expenses for the purposes

PG LN	Senate File 2282	Explanation
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1 26 of expenditure of moneys from the Iowa comprehensive petroleum
1 27 underground storage tank fund to include moneys needed by the
1 28 underground storage tank section of the department of natural
1 29 resources to administer its portion of the underground storage
1 30 tank program. It appropriates \$136,000 to the department of
1 31 natural resources from the unassigned revenue fund
1 32 administered by the Iowa comprehensive petroleum underground
1 33 storage tank fund and repeals a requirement requiring the
1 34 department to designate underground storage tank disposal
1 35 facilities.
2 1 LSB 5246SV 74
2 2 js/cf/24

**EXECUTIVE SUMMARY
EXPENDITURE LIMITATION BILL**

SENATE FILE 2351

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- *This bill was amended by SF 2393, the Second Extraordinary Session Bill. Please refer to the executive summary of SF 2393 for more detail.*
- Creates a General Fund expenditure limitation. Beginning in FY 1994, an expenditure limitation of **99.0%** of the adjusted revenue estimate is created. The expenditure limitation is required to be used in the preparation of the Governor's budget. Only **95%** of any new revenue implemented in a fiscal year is available for expenditure. (Page 2, Line 26)
- Requires that if a Revenue Estimating Conference (REC) reduces the December revenue estimate, the Governor must adjust the budget recommendations to account for the reduction in revenue. (Page 1, Line 1)
- Requires that if an REC increases the estimate above the December figure, the Governor and General Assembly shall continue to use the lower projection. (Page 1, Line 10)
- Reduces the maximum balance in the Economic Emergency Fund (EEF) from **10.0%** of the prior years' appropriations to 5.0% of the adjusted revenue estimate. Requires that if the EEF is at the maximum balance, excess monies shall be transferred to the General Fund. Permits monies in the Fund to be appropriated by a majority of the General Assembly for emergency expenditures. (Page 4, Line 11)
- *Creates the Cash Reserve Fund (CRF). The maximum balance in the CRF is equal to **1.0%** of the adjusted revenue estimate in FY 1994, and increases by **1.0%** per year until **5.0%** is reached. Requires that only the amount necessary to reach the maximum balance is appropriated. (Page 5, Line 15)
- *Specifies that monies in the CRF be appropriated only if the appropriation is made in the same fiscal year, it is only for non-recurring emergency expenditures, and it is not for any collective bargaining agreement or arbitrator's decision. (Page 5, Line 15)
- Requires that an appropriation from the CRF which causes the fund's balance to drop below 3.0% of the adjusted revenue estimate receive three-fifths majority vote of the General Assembly. Otherwise a simple majority vote is required. (Page 5, Line 15)

**EXECUTIVE SUMMARY
EXPENDITURE LIMITATION BILL**

SENATE FILE 2351

- Specifies that if the **CRF** is at its maximum then monies are appropriated ~~to the Department of~~ Management for the purpose of eliminating the State's Generally Accepted Accounting Principles (GAAP) deficit. Once all GAAP obligations are retired, funds ~~are~~ credited to the EEF. (Page 6, Line 27)
- Freezes certain standing appropriations at the FY **1993** level. (Page **9**, Line 6)
- Changes the date for the completion of negotiations for ~~proposed~~ collective bargaining agreements with teachers from April 15 to May 31. (Page **10**, Line **18**)
- Changes the date for impasse procedures from April **15** to May **31**. (Page **11**, Line **24**)
- * Changes the date for mediation procedures from April **15** to May **31**. (Page **12**, Line 12)
- * Changes the date for certification of school district budgets ~~from~~ March **15** to April **15**. (Page **12**, Line **35**)
- Changes** the budget notification date for ~~area~~ education agencies ~~from~~ February **15** to March **15**, and delays the date for State board review from March 1 to April 1. (Page **15**, Line **18**)
- Changes the date for teacher termination notification from April **30** to May **15**. (Page **16**, Line **5**)
- Changes the date for a teacher's private hearing from May **10** to May **31**. (Page **16**, Line **17**)
- Changes the date that school administrators ~~need~~ to be notified of contract termination from April **30** to May **15**. (Page 16, Line 31)
- **Modifies** the calculation of the **State** percent of allowable ~~growth~~. Requires that it be established by statute which shall be enacted within **30** days of the submission of the Governor's budget. Requires that it be the only subject matter of the bill which establishes the State percent of allowable growth. (Page **13**, Line **18**)

Senate File 2351 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	1	1	Adds	Sec. 8.21	Later Revenue Estimate
1	10	2	Amends	Sec. 8.22A	Revenue Estimating Conference
2	3	3	Adds	Sec. 8.53	GAAP Implementation
2	26	4	Adds	Sec. 8.54	General Fund Expend. Limit.
4	11	5	Amends	Sec. 8.55	Economic Emergency Fund
5	15	6	Adds	Sec. 8.56	Cash Reserve Fund
6	27	7	Adds	Sec. 8.57	Annual Appropriation
8	24	8	Adds	Sec. 8.58	Exemption From Application
9	6	9	Adds	Sec. 8.59	Standing Approp. Freeze
9	19	10	Amends	Sec. 18.75(8)	State Salary Book Printing
10	18	11	Amends	Code Supplement 1991 Sec. 20.17(11) Code Supplement 1991 as amended by SF 2216, 1992 Iowa Acts	Standing Approp. Repealed Changes Teacher Negotiations
11	24	12	Amends	Sec. 20.19 Code Supplement 1991 as amended by SF 2216, 1992 Iowa Acts	Changes Impasse Negotiations
12	12	13	Amends	Sec. 20.20 Code Supplement 1991 as amended by SF 2216, 1992 Iowa Acts	Changes Mediation Procedures
12	35	14	Amends	Sec. 24.17	Changes School Budget Cert.
13	18	15	Amends	Sec. 257.8	Modifies Allowable Growth
14	10	16	Amends	Sec. 257.20	Instructional Support
15	18	17	Amends	Code Supplement 1991 Sec. 273.2(12)	Changes AEA Budget Notification

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Page #	Line #	Bill Section	Action	Code Section Changed	Description
16	5	18	Amends	Sec. 279.15(1) Code Supplement 1991	Changes Teacher Termination
16	17	19	Amends	Sec. 279.16 as amended by HF 2235, 1992 Iowa Acts	Changes Private Hearing
16	31	20	Amends	Sec. 279.24 as amended by HF 2245, 1992 Iowa Acts	Changes Termination Date
18	10	21	Amends	Sec. 279.51(1) Code Supplement 1991	Limits Child Development
18	24	22	Amends	Sec. 280A.50	Community College Staff Development
19	18	23	Amends	Sec. 294A.9	Limits Phase II
20	4	24	Repeals	Sec. 294A.14	Limits Phase III
20	6	25	Amends	Sec. 294A.14	School Transformation
20	25	26	Amends	Sec. 294A.16	School Transformation
21	5	27	Amends	Sec. 294A.25(1)	Limits Educational Excellence
21	22	28	Amends	Sec. 421.31(5)	GAAP Requirements
22	1	29	Repeals	Sec. 422.69(3) Code Supplement 1991	Eliminates GAAP Requirement
22	3	30	Repeals	Sec. 2046, Chapter 1245 1986 Iowa Acts	Eliminates GAAP Requirement
22	6	31	Repeals	Sec. 427B.13 Code Supplement 1991	Repeals Machinery & Computer Equipment Tax Replacement

1 1 Section 1. Section 8.21, Code 1991, is amended by adding
 1 2 the following new unnumbered paragraph:
 1 3 NEW UNNUMBERED PARAGRAPH. If the governor is required to
 1 4 use a lesser amount in the budget process because of a later
 1 5 meeting of the state revenue estimating conference under
 1 6 section 8.22A, subsection 3, the governor shall transmit
 1 7 recommendations for a balanced budget meeting this requirement
 1 8 within fourteen days of the later meeting of the state revenue
 1 9 estimating conference.

CODE: Specifies that if a later Revenue Estimating Conference (REC) reduces the December revenue estimate, the Governor is required to adjust the budget recommendation to account for the reduction in revenue.

1 10 Sec. 2. Section 8.22A, Code 1991, is amended to read as
 1 11 follows:

1 12 8.22A REVENUE ESTIMATING CONFERENCE.

1 13 1. The state revenue estimating conference is created
 1 14 consisting of the governor or the governor's designee, the
 1 15 director of the legislative fiscal bureau, and a third member
 1 16 agreed to by the other two.

1 17 2. The conference shall meet as often as deemed necessary,
 1 18 but shall meet at least quarterly. The conference may use
 1 19 sources of information deemed appropriate.

1 20 3. By December 15, ~~1986~~ and of each succeeding fiscal year
 1 21 the conference shall agree to a revenue estimate for the
 1 22 fiscal year beginning the following July 1. That estimate
 1 23 shall be used by the governor in the preparation of the budget
 1 24 message under section 8.22 and by the legislature general
 1 25 assembly in the budget process. If the conference agrees to a
 1 26 different estimate at a later meeting which projects a greater
 1 27 amount of revenue than the initial estimate amount agreed to
 1 28 by December 15, the governor and the general assembly shall
 1 29 continue to use the initial estimate amount in the budget
 1 30 process for that fiscal year. However, if the conference
 1 31 agrees to a different estimate at a later meeting which
 1 32 projects a lesser amount of revenue than the initial estimate
 1 33 amount, the governor and the general assembly shall use the
 1 34 lesser amount in the budget process for that fiscal year. As
 1 35 used in this subsection, later meeting means only those

CODE: Requires that if a later REC projects revenue greater than the December estimate, the Governor and General Assembly shall continue to use the lower projection.

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Explanation

2 1 later meetings which are held prior to the conclusion of the
 2 2 regular session of the general assembly.

2 3 **Sec. 3. NEW SECTION. 8.53 GAAP DEFICIT -- GAAP**
 2 4 **IMPLEMENTATION.**

2 5 For the fiscal year beginning July 1, 1992, and the two
 2 6 succeeding fiscal years, the governor shall recommend in the
 2 7 governor's budget and the general assembly shall provide funds
 2 8 to eliminate the state generally accepted accounting
 2 9 principles (GAAP) deficit, as reported in the state's
 2 10 comprehensive annual financial report issued during the prior
 2 11 fiscal year, and taking into account the revised GAAP
 2 12 standards that are projected to be in place by the fiscal year
 2 13 ending in 1995, either through the appropriation of specific
 2 14 funds to provide an adjustment in the GAAP deficit or by
 2 15 setting funds aside in a special account in an amount equal to
 2 16 the GAAP deficit.

2 17 For the fiscal year beginning July 1, 1996, and each
 2 18 succeeding fiscal year, the governor shall recommend in the
 2 19 governor's budget and the general assembly shall provide funds
 2 20 to eliminate the GAAP deficit of the general fund of the
 2 21 state, as reported in the state's comprehensive annual
 2 22 financial report issued during the prior fiscal year, either
 2 23 through the appropriation of specific funds to correct a GAAP
 2 24 adjustment or by setting funds aside in a special account in
 2 25 an amount equal to the GAAP deficit.

2 26 **Sec. 4. NEW SECTION. 8.54 GENERAL FUND EXPENDITURE**
 2 27 **LIMITATION.**

2 28 1. For the purposes of this section and sections 8.55
 2 29 through 8.57:
 2 30 a. Adjusted revenue estimate means the appropriate
 2 31 revenue estimate for the general fund for the following fiscal
 2 32 year as determined under section 8.22A, subsection 3, adjusted
 2 33 by subtracting estimated tax refunds payable from that
 2 34 estimated revenue and adding any new revenues which may be
 2 35 considered to be eligible for deposit in the general fund.

CODE: Requires that the Governor recommend and the General Assembly provide funds for the elimination of the Generally Accepted Accounting Principles (GAAP) deficit beginning in FY 1993.

CODE: Creates a General Fund expenditure limitation. Beginning in FY 1994, an expenditure limitation of 99.0% of adjusted revenue is created. Adjusted revenue means the REC estimate minus tax refunds plus any revenues eligible for deposit in the General Fund. The expenditure limitation shall be used in the preparation of the Governor's budget. Of any new revenues implemented in a year, only 95.0% will be available for expenditure.

3 1 b. New revenues means moneys which are received by the
 3 2 state due to increased tax rates and fees or newly created
 3 3 taxes and fees over and above those moneys which are received
 3 4 due to state taxes and fees which are in effect as of January
 3 5 1 following the December state revenue estimating conference.
 3 6 New revenues also includes moneys received by the state due
 3 7 to new transfers over and above those moneys received by the
 3 8 state due to transfers which are in effect as of January 1
 3 9 following the December state revenue estimating conference.
 3 10 2. There is created a state general fund expenditure
 3 11 limitation for each fiscal year beginning on or after July 1,
 3 12 1993, calculated as provided in this section.
 3 13 3. Except as otherwise provided in this section, the state
 3 14 general fund expenditure limitation for a fiscal year shall be
 3 15 ninety-nine percent of the adjusted revenue estimate.
 3 16 4. The state general fund expenditure limitation amount
 3 17 provided for in this section shall be used by the governor in
 3 18 the preparation of the budget under section 8.22 and by the
 3 19 general assembly in the budget process. If a source for new
 3 20 revenues is proposed, the budget revenue projection used for
 3 21 that new revenue source for the period beginning on the
 3 22 effective date of the new revenue source and ending in the
 3 23 fiscal year in which the source is included in the revenue
 3 24 base shall be an amount determined by subtracting estimated
 3 25 tax refunds payable from the projected revenue from that new
 3 26 revenue source, multiplied by ninety-five percent. If a new
 3 27 revenue source is established and implemented, the original
 3 28 state general fund expenditure limitation amount provided for
 3 29 in subsection 3 shall be readjusted to include ninety-five
 3 30 percent of the estimated revenue from the new revenue source.
 3 31 5. For fiscal years in which section 8.55, subsection 2,
 3 32 results in moneys being transferred to the general fund, the
 3 33 original state general fund expenditure limitation amount
 3 34 provided for in subsection 3 shall be readjusted to include
 3 35 the moneys which are so transferred.
 4 1 6. The scope of the expenditure limitation under
 4 2 subsection 3 shall not encompass federal funds, donations,

The scope of the expenditure limitation does not include the following monies:

1. Federal funds
2. Donations
3. Constitutionally-dedicated monies
4. State retirement system funds

Further requires the General Assembly to pass a budget which does not exceed the expenditure limitation.

4 3 constitutionally dedicated moneys, and moneys in expenditures
 4 4 from state retirement system moneys.
 4 5 7. The governor shall submit and the general assembly
 4 6 shall pass a budget which does not exceed the state general
 4 7 fund expenditure limitation. The governor in submitting the
 4 8 budget under section 8.21, and the general assembly in passing
 4 9 a budget, shall not have recurring expenditures in excess of
 4 10 recurring revenues.

4 11 Sec. 5. Section 8.55, Code 1991, is amended to read as
 4 12 follows:

4 13 8.55 IOWA ECONOMIC EMERGENCY FUND.

4 14 1. The Iowa economic emergency fund is created. The fund
 4 15 shall be separate from the general fund of the state and the
 4 16 balance in the fund shall not be considered part of the
 4 17 balance of the general fund of the state, ~~except for purposes~~
 4 18 ~~of determining the annual inflation factor under section~~
 4 19 ~~422.4, subsection 17, the balance in the fund shall be~~
 4 20 ~~considered part of the general fund of the state.~~ The moneys
 4 21 in the fund shall not revert to the general fund,
 4 22 notwithstanding section 8.33, unless and to the extent the
 4 23 fund exceeds the maximum balance.

4 24 2. ~~The maximum balance of the Iowa economic emergency fund~~
 4 25 ~~is the amount equal to ten percent of the funds appropriated~~
 4 26 ~~from the general fund of the state during the preceding fiscal~~
 4 27 ~~year. There is appropriated from any surplus existing in the~~
 4 28 ~~general fund of the state at the conclusion of the fiscal year~~
 4 29 ~~to the Iowa economic emergency fund an amount equal to the~~
 4 30 ~~smaller of the amount of the surplus or the amount necessary~~
 4 31 ~~to achieve the maximum balance.~~ The maximum balance of the
 4 32 fund is the amount equal to five percent of the adjusted
 4 33 revenue estimate for the fiscal year. If the amount of moneys
 4 34 in the Iowa economic emergency fund is equal to the maximum
 4 35 balance, moneys in excess of this amount shall be transferred
 5 1 to the general fund.

5 2 3. The moneys in the Iowa economic emergency fund may be

CODE: Amends the Iowa Economic Emergency Fund (EEF) to change the maximum balance in the fund from 10.0% of funds appropriated in the prior fiscal year to 5.0% of the adjusted revenue estimate for a fiscal year. If the EEF is at the maximum balance, excess monies shall be transferred to the General Fund. Allows monies in the fund to be appropriated by a majority of the General Assembly for emergency expenditures. Any interest earned on the EEF monies shall be credited to the EEF.

5 4 for which the appropriation is made ~~and only for a purpose for~~
 5 5 ~~which the general assembly previously appropriated funds for~~
 5 6 ~~that fiscal year.~~ The moneys shall only be appropriated by
 5 7 the general assembly for emergency expenditures. However,
 5 8 except as provided in section 8.58, the balance in the Iowa
 5 9 economic emergency fund may be used in determining the cash
 5 10 position of the general fund of the state for the payment of
 5 11 state obligations.
 5 12 4. Notwithstanding section 453.7, subsection 2, interest
 5 13 or earnings on moneys deposited in the Iowa economic emergency
 5 14 fund shall be credited to the Iowa economic emergency fund.

5 15 Sec. 6. NEW SECTION. 8.56 CASH RESERVE FUND.
 5 16 1. A cash reserve fund is created in the state treasury.
 5 17 The cash reserve fund shall be separate from the general fund
 5 18 of the state and shall not be considered part of the general
 5 19 fund of the state except in determining the cash position of
 5 20 the state as provided in subsection 3. The moneys in the cash
 5 21 reserve fund are not subject to section 8.33 and shall not be
 5 22 transferred, used, obligated, ~~appropriated,~~ or otherwise
 5 23 encumbered except as provided in this section.
 5 24 Notwithstanding section 453.7, subsection 2, interest or
 5 25 earnings on moneys deposited in the cash reserve fund shall be
 5 26 credited to the Iowa economic emergency fund. Moneys in the
 5 27 cash reserve fund ~~may~~ be used for cash flow purposes provided
 5 28 that any moneys ~~so~~ allocated are returned to the cash reserve
 5 29 fund by the end of each fiscal year.
 5 30 2. The maximum balance of the cash reserve fund is the
 5 31 amount equal to the cash reserve goal percentage, as defined
 5 32 in section 8.57, multiplied by the adjusted revenue estimate
 5 33 for the general fund of the state for the current fiscal year.
 5 34 3. The moneys in the cash reserve fund may be appropriated
 5 35 by the general assembly in accordance with Subsection 4 only
 6 1 in the fiscal year for which the appropriation is made. The
 6 2 moneys shall only be appropriated by the general assembly for
 6 3 nonrecurring emergency expenditures and shall not be
 6 4 appropriated for payment of any collective bargaining

CODE: Creates a Cash Reserve Fund (CRF). The CRF is separate from the General Fund and shall not be used in determining the cash position of the State. Requires interest earned on the CRF monies to be transferred to the EEF. Sets the maximum balance of the CRF equal to the Cash Reserve Goal Percentage multiplied by the Adjusted Revenue Estimate. The Cash Reserve Goal Percentage is equal to 1.0% in FY 1994, increasing by 1.0% yearly until 5.0% is reached. In any single year, only the amount necessary to reach the Cash Reserve Goal Percentage is appropriated.

Specifies that monies in the CRF shall be appropriated under the following conditions:

1. The appropriation is made in the same fiscal year.
2. The appropriation is only for non-recurring emergency expenditures.
3. The appropriation shall not be for payment of any collective bargaining agreement or arbitrators decision.

An appropriation from the CRF requires the following

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6 5 agreement or arbitrator's decision negotiated or awarded under
 6 6 chapter 20. However, except as provided in section 8.58, the
 6 7 balance in the cash reserve fund may be used in determining
 6 8 the cash position of the general fund of the state for payment
 6 9 of state obligations.

6 10 4. a. Except as provided in subsection 1, an
 6 11 appropriation shall not be made from the cash reserve fund
 6 12 unless the appropriation is in accordance with all of the
 6 13 following:

6 14 (1) The appropriation is contained in a bill or joint
 6 15 resolution in which the appropriation is the only subject
 6 16 matter of the bill or joint resolution.

6 17 (2) The bill or joint resolution states the reasons the
 6 18 appropriation is necessary.

6 19 b. In addition to the requirements of paragraph a, an
 6 20 appropriation shall not be made from the cash reserve fund
 6 21 which would cause the fund's balance to be less than three
 6 22 percent of the adjusted revenue estimate for the year for
 6 23 which the appropriation is made unless the bill or joint
 6 24 resolution is approved by vote of at least three-fifths of the
 6 25 members of both chambers of the general assembly and is signed
 6 26 by the governor.

6 27 Sec. 7. NEW SECTION. 8.57 ANNUAL APPROPRIATION.

6 28 1. a. For each fiscal year beginning on or after July 1,
 6 29 1993, there is appropriated from the general fund of the state
 6 30 an amount to be determined as follows:

6 31 (1) If the balance of the cash reserve fund has not yet at
 6 32 any point reached four percent of the adjusted revenue
 6 33 estimate during a budget year, the amount appropriated shall
 6 34 be determined under this subparagraph.

6 35 (a) The amount appropriated under this subparagraph is the
 7 1 amount necessary for the cash reserve fund to reach the cash
 7 2 reserve goal percentage of the adjusted revenue estimate for
 7 3 the fiscal year. However, moneys appropriated under this
 7 4 subparagraph shall not exceed more than one percent of the
 7 5 adjusted revenue estimate for the fiscal year.

conditions:

1. The appropriation is contained in a bill or joint resolution in which the appropriation is the only subject.
2. The bill or joint resolution states the reason for the appropriation.

An appropriation from the CRF which causes the Fund's balance to drop below 3.0% of the Adjusted Revenue Estimate requires a three-fifths majority vote. Otherwise a simple majority vote is required.

CODE: Creates an annual appropriation. If the balance of the CRF has not yet reached 4.0%. then the amount appropriated is the amount necessary to reach the Cash Reserve Goal Percentage. Once the CRF has reached 4.0%, then the amount appropriated is equal to 1.0% of the adjusted revenue estimate. Monies appropriated are first credited to the CRF. If the CRF is at it's maximum, then monies are appropriated to the Department of Management (DOM) for the purpose of eliminating the State's GAAP deficit. Once all GAAP obligations are retired, any appropriation is credited to the EEF.

Requires the DOM to annually file a schedule of items

7 6 (b) The cash reserve goal percentage for the fiscal year
 7 7 beginning July 1, 1993, is one percent; for the fiscal year
 7 8 beginning July 1, 1994, is two percent; for the fiscal year
 7 9 beginning July 1, 1995, is three percent; for the fiscal year
 7 10 beginning July 1, 1996, is four percent; and for fiscal years
 7 11 beginning on or after July 1, 1997, is five percent.
 7 12 (2) If at any point in any prior fiscal year the balance
 7 13 of the cash reserve fund reached four percent of the adjusted
 7 14 revenue estimate for that fiscal year, the moneys appropriated
 7 15 under this paragraph for a fiscal year shall be one percent of
 7 16 the adjusted revenue estimate for the fiscal year.
 7 17 (3) The moneys appropriated under this paragraph shall be
 7 18 credited in equal and proportionate amounts in each quarter of
 7 19 that fiscal year.
 7 20 b. Commencing June 30, 1993, the surplus existing in the
 7 21 general fund of the state at the conclusion of the fiscal year
 7 22 is appropriated for distribution as provided in this section.
 7 23 As used in this paragraph, surplus means the positive ending
 7 24 balance in the general fund, if any.
 7 25 c. The amount appropriated in this section is not subject
 7 26 to the provisions of section 8.31, relating to quarterly
 7 27 requisitions and allotment, or to section 8.32, relating to
 7 28 conditional availability of appropriations.
 7 29 2. Moneys appropriated under subsection 1 shall be first
 7 30 credited to the cash reserve fund. To the extent that moneys
 7 31 appropriated under subsection 1 would make the moneys in the
 7 32 cash reserve fund exceed the cash reserve goal percentage of
 7 33 the adjusted revenue estimate for the fiscal year, the moneys
 7 34 are appropriated to the department of management to be spent
 7 35 for the purpose of eliminating Iowa's GAAP deficit. The
 8 1 department of management shall annually file with both houses
 8 2 of the general assembly at the time of the submission of the
 8 3 governor's budget a schedule of the items for which moneys
 8 4 appropriated under this subsection for the purpose of
 8 5 eliminating Iowa's GAAP deficit shall be spent in the fiscal.
 8 6 year commencing July 1 following the date of the filing of the
 8 7 report. The schedule shall list each item of expenditure and

containing the GAAP deficit. The report is required to list each item and the maximum amount of funds to be spent on the item in the upcoming fiscal year. If the funds are not sufficient to pay all items, the DOM shall allocate the monies among the listed items. Monies may only be spent on items included in the report.

8 8 the maximum dollar amount of moneys to be spent on that item
 8 9 for the fiscal year. If moneys appropriated under this
 8 10 subsection are not enough to pay for all listed expenditures,
 8 11 the department of management shall allocate the payments among
 8 12 the listed expenditure items. Moneys appropriated to the
 8 13 department of management under this subsection shall not be
 8 14 spent on items other than those included in the filed
 8 15 schedule.

8 16 3. To the extent that moneys appropriated under subsection
 8 17 1 exceed the amounts necessary for the cash reserve fund to
 8 18 reach its maximum balance and the amounts necessary to
 8 19 eliminate Iowa's GAAP deficit, the moneys shall be
 8 20 appropriated to the Iowa economic emergency fund.

8 21 4. As used in this section, GAAP means generally
 8 22 accepted accounting principles as established by the
 8 23 governmental accounting standards board.

8 24 Sec. 8. NEW SECTION. 8.58 EXEMPTION FROM AUTOMATIC
 8 25 APPLICATION.

8 26 To the extent that moneys appropriated under section 8.57
 8 27 do not result in moneys being credited to the general fund
 8 28 under section 8.55, subsection 2, moneys appropriated under
 8 29 section 8.57 and moneys contained in the cash reserve fund and
 8 30 Iowa economic emergency fund shall not be considered in the
 8 31 application of any formula, index, or other statutory
 8 32 triggering mechanism which would affect appropriations,
 8 33 payments, or taxation rates, contrary provisions of the Code
 8 34 notwithstanding.

8 35 To the extent that moneys appropriated under section 8.57'
 9 1 do not result in moneys being credited to the general fund
 9 2 under section 8.55, subsection 2, moneys appropriated under
 9 3 section 8.57 and moneys contained in the cash reserve fund and
 9 4 Iowa economic emergency fund shall not be considered by an
 9 5 arbitrator or in negotiations under chapter 20.

9 6 Sec. 9. NEW SECTION. 8.59 APPROPRIATIONS FREEZE.
 9 7 Notwithstanding contrary provisions of the Code, the

CODE: Requires that funds appropriated and contained in the CRF and EEF are not to be considered in the application of any formula, index, or other statutory triggering mechanism. Also prohibits an arbitrator from considering monies in the CRF and EEF as part of collective bargaining negotiations.

CODE: Freezes certain standing appropriations. The standing appropriations frozen at their FY 1993 level

9 8 amounts appropriated under the applicable sections of the Code
 9 9 for fiscal years commencing on or after July 1, 1993, are
 9 10 limited to those amounts expended under those sections for the
 9 11 fiscal year commencing July 1, 1992. If an applicable section
 9 12 appropriates moneys to be distributed to different recipients
 9 13 and the operation of this section reduces the total amount to
 9 14 be distributed under the applicable section, the moneys shall
 9 15 be prorated among the recipients. As used in this section,
 9 16 applicable sections means the following sections: 53.50,
 9 17 98.7, 229.35, 230.8, 230.11, 411.20, 425.1, 425.39, 426A.1,
 9 18 663.44. and 663A.5.

include:

1. Iowa Servicemen's Ballot
2. Printing Cigarette Stamps
3. Commission on Inquiry
4. Non-resident Transfer
5. Non-resident Commitment
6. Peace Officer Retirement
7. Homestead Tax Credit
8. Extraordinary Property Tax Credit
9. Military Service Tax Credit
10. Habeas Corpus Fees
11. State Cases

9 19 **Sec. 10.** Section 18.75, subsection 8, Code Supplement
 9 20 1991, is amended to read as follows:
 9 21 8. By November 1 of each year supply a report which
 9 22 contains the name, gender, county or city of residence when
 9 23 possible, official title, salary received during the previous
 9 24 fiscal year, base salary as computed on July 1 of the current
 9 25 fiscal year, and traveling and subsistence expense of the
 9 26 personnel of each of the ~~department~~ boards, and commissions
 9 27 of the state government except personnel who receive an annual
 9 28 salary of less than one thousand dollars. The number of the
 9 29 personnel and the total amount received by them shall be shown
 9 30 for each department in the report. All employees who have
 9 31 drawn salaries, fees, or expense allowances from more than one
 9 32 department or subdivision shall be listed separately under the
 9 33 proper departmental heading. On the request of the
 9 34 superintendent, the head of each department, board, or
 9 35 commission shall furnish the data covering that agency. ~~The~~
 10 1 ~~report shall be paid for out of moneys in the general fund not~~
 10 2 ~~otherwise appropriated.~~ A The report shall be distributed
 10 3 upon request without charge to each member caucus of the
 10 4 general assembly, ~~and the state law library~~ the legislative
 10 5 service bureau, the legislative fiscal bureau, the chief clerk

CODE: Repeals the standing unlimited appropriation
 for printing of the State Salary Book. Adds language
 requiring that the Book shall be available in both
 printed or electronic medium for a charge not to
 exceed the cost of providing the copy.

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10 6 of the house of representatives, and the secretary of the
 10 7 senate. ~~Six copies shall be distributed without charge to the~~
 10 8 ~~state library and one copy shall be distributed without charge~~
 10 9 ~~to each library which is designated as a documents depository~~
 10 10 ~~by the state library. Other persons may purchase a copy for a~~
 10 11 ~~fee not less than the amount required to print the copy.~~
 10 12 Copies of the report shall be made available to other persons
 10 13 in both print or electronic medium upon payment of a fee,
 10 14 which shall not exceed the cost of providing the copy of the
 10 15 report. Sections 22.2 through 22.6 apply to the report. All
 10 16 funds from the sale of the report shall be deposited in the
 10 17 general fund.

10 18 Sec. 11. Section 20.17, subsection 11, Code Supplement
 10 19 1991, as amended by Senate File 2216, section 1, is amended to
 10 20 read as follows:

10 21 11. a. In the absence of an impasse agreement negotiated
 10 22 pursuant to section 20.19 which provides for a different
 10 23 completion date, public employees represented by a certified
 10 24 employee organization who are teachers licensed under chapter
 10 25 260 and who are employed by a public employer which is a
 10 26 school district or area education agency shall complete the
 10 27 negotiation of a proposed collective bargaining agreement not
 10 28 later than ~~April 15~~ May 31 of the year when the agreement is
 10 29 to become effective. The board shall provide, by rule, a date
 10 30 on which impasse items in such cases must be submitted to
 10 31 binding arbitration and for such other procedures as deemed
 10 32 necessary to provide for the completion of negotiations of
 10 33 proposed collective bargaining agreements not later than ~~April~~
 10 34 ~~\$5~~ May 31. The date selected for the mandatory submission of
 10 35 impasse items to binding arbitration in such cases shall be
 11 1 sufficiently in advance of ~~April 15~~ May 31 to ensure that the
 11 2 arbitrators' decision can be reasonably made' before ~~April 15~~
 11 3 May 31.

11 4 b. If the public employer is a community college, the
 11 5 following apply:

11 6 (1) The negotiation of a proposed collective bargaining

CODE: Changes the date for the completion of negotiations for proposed collective bargaining agreements with teachers from April 15 to May 31

11 7 agreement shall be complete not later than ~~June 1~~ May 31 of
 11 8 the year when the agreement is to become effective, absent the
 11 9 existence of an impasse agreement negotiated pursuant to
 11 10 section 20.19 which provides for a different completion date.
 11 11 The board shall adopt rules providing for a date on which
 11 12 impasse items in such cases must be submitted to binding
 11 13 arbitration and for procedures for the completion of
 11 14 negotiations of proposed collective bargaining agreements not
 11 15 later than ~~June 1~~ May 31. The date selected for the mandatory
 11 16 submission of impasse items to binding arbitration in such
 11 17 cases shall be sufficiently in advance of ~~June 1~~ May 31 to
 11 18 ensure that the arbitrators' decision can be reasonably made
 11 19 by ~~June 1~~ May 31.
 11 20 (2) Notwithstanding the provisions of paragraph a, the
 11 21 ~~June 1~~ May 31 deadline may be waived by mutual agreement of
 11 22 the parties to the collective bargaining agreement
 11 23 negotiations.

11 24 Sec. 12. Section 20.19, Code Supplement 1991, as amended
 11 25 by Senate File 2216, section 2, is amended to read as follows:
 11 26 20.19 IMPASSE PROCEDURES -- AGREEMENT OF PARTIES.
 11 27 As the first step in the performance of their duty to
 11 28 bargain, the public employer and the employee organization
 11 29 shall endeavor to agree upon impasse procedures. Such
 11 30 agreement shall provide for implementation of these impasse
 11 31 procedures not later than one hundred twenty days prior to the
 11 32 certified budget submission date of the public employer.
 11 33 However, if public employees represented by the employee
 11 34 organization are teachers licensed under chapter 260, and the
 11 35 public employer is a school district or area education agency,
 12 1 the agreement shall provide for implementation of impasse
 12 2 procedures not later than one hundred twenty days prior to
 12 3 ~~April 15~~ May 31 of the year when the collective bargaining
 12 4 agreement is to become effective. If the public employer is a
 12 5 community college, the agreement shall provide for
 12 6 implementation of impasse procedures not later than one
 12 7 hundred twenty days prior to ~~June 1~~ May 31 of the year when

CODE: Changes the date for impasse procedures for teachers from April 15 to May 31.

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12 8 the collective bargaining agreement is to become effective.
 12 9 If the parties fail to agree upon impasse procedures under the
 12 10 provisions of this section, the impasse procedures provided in
 12 11 sections 20.20 to 20.22 shall apply.

12 12 **Sec. 13.** Section 20.20, Code Supplement 1991, as amended
 12 13 by Senate File 2216, section 3, is amended to read as follows:
 12 14 20.20 MEDIATION.
 12 15 In the absence of an impasse agreement negotiated pursuant
 12 16 to section 20.19 or the failure of either party to utilize its
 12 17 procedures, one hundred twenty days prior to the certified
 12 18 budget submission date, or one hundred twenty days prior to
 12 19 ~~April 15~~ May 31 of the year when the collective bargaining
 12 20 agreement is to become effective if public employees
 12 21 represented by the employee organization are teachers licensed
 12 22 under chapter 260 and the public employer is a school district
 12 23 or area education agency, the board shall, upon the request of
 12 24 either party, appoint an impartial and disinterested person to
 12 25 act as mediator. If the public employer is a community
 12 26 college, and in the absence of an impasse agreement negotiated
 12 27 pursuant to section 20.19 or the failure of either party to
 12 28 utilize its procedures, one hundred twenty days prior to ~~June~~
 12 29 ~~1~~ May 31 of the year when the collective bargaining agreement
 12 30 is to become effective, the board, upon the request of either
 12 31 party, shall appoint an impartial and disinterested person to
 12 32 act as mediator. It shall be the function of the mediator to
 12 33 bring the parties together to effectuate a settlement of the
 12 34 dispute, but the mediator may not compel the parties to agree.

CODE: Changes the date for mediation procedures for teachers from April 15 to May 31.

12 35 **Sec. 14.** Section 24.17, unnumbered paragraph 1, Code 1991,
 13 1 is amended to read as follows:
 13 2 The local budgets of the various political subdivisions
 13 3 shall be certified by the chairperson of the certifying board
 13 4 or levying board, as the case may be, in duplicate to the
 13 5 county auditor not later than March 15 of each year ~~unless a~~
 13 6 ~~city or county holds a special levy election, in which case~~
 13 7 ~~certification shall not be later than fourteen days following~~

CODE: Changes the date for the certification of school district budgets from March 15 to April 15.

13 8 ~~the special levy election~~, on blanks prescribed by the state
 13 9 board, and according to the rules and instruction which shall
 13 10 be furnished all certifying and levying boards in printed form
 13 11 by the state board or city finance committee in the case of
 13 12 cities. However, if a city or county holds a special levy
 13 13 election, the certification shall be not later than fourteen
 13 14 days following the special levy election, and if the political
 13 15 subdivision is a school district, as defined in section 257.2,
 13 16 its budget shall be certified not later than April 15 of each
 13 17 year.

13 18 Sec. 15. Section 257.8, Code 1991, is amended by striking
 13 19 the section and inserting in lieu thereof the following:
 13 20 257.8 STATE PERCENT OF GROWTH -- ALLOWABLE GROWTH.
 13 21 1. STATE PERCENT OF GROWTH. The state percent of growth
 13 22 for a budget year shall be established by statute which shall
 13 23 be enacted within thirty days of the submission in the base
 13 24 year of the governor's budget under section 8.21. The
 13 25 establishment of the state percent of growth for a budget year
 13 26 shall be the only subject matter of the bill which enacts the
 13 27 state percent of growth for a budget year.

13 28 2. ALLOWABLE OROWTH CALCULATION. The department of
 13 29 management shall calculate the regular program allowable
 13 30 growth for a budget year by multiplying the state percent of
 13 31 growth for the budget year by the regular program state cost
 13 32 per pupil for the base year and shall calculate the special
 13 33 education support services allowable growth for the budget
 13 34 year by multiplying the state percent of growth for the budget
 13 35 year by the special education support services state cost per
 14 1 pupil for the base year.

14 2 3. COMBINED ALLOWABLE GROWTH. The combined allowable
 14 3 growth per pupil for each school district is the sum of the
 14 4 regular program allowable growth per pupil and the special
 14 5 education support services allowable growth per pupil for the
 14 6 budget year, which may be modified as follows:

CODE: Requires that the State percent of allowable growth for a budget year shall be enacted within 30 days of the submission of the Governor's budget. Requires that the establishment of the State percent of allowable growth shall be the only subject matter of the bill which enacts the State percent of growth.

CODE: Specifies how the Department of Management (DOM) must calculate regular program and special education support services allowable growth.

CODE: Specifies how the DOM must calculate the combined allowable growth per pupil.

PG LN	Senate File 2351	Explanation
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14 7 a. By the school budget review committee under section
14 8 257.31.

14 9 b. By the department of management under section 257.36.

14 10 Sec. 16. Section 257.20, Code Supplement 1991, is amended
14 11 to read as follows:

14 12 257.20 INSTRUCTIONAL SUPPORT STATE AID APPROPRIATION.

14 13 1. In order to determine the amount of instructional
14 14 support state aid and the amount of local funding for the
14 15 instructional support program for a district, the department
14 16 of management shall divide the total assessed valuation in the
14 17 state by the total budget enrollment for the budget year in
14 18 the state to determine a state assessed valuation per pupil
14 19 and shall divide the assessed valuation in each district by
14 20 the district's budget enrollment for the budget year to
14 21 determine the district assessed valuation per pupil. The
14 22 department of management shall multiply the ratio of the
14 23 state's valuation per pupil to the district's valuation per
14 24 pupil by twenty-five hundredths and subtract that result from
14 25 one to determine the portion of the instructional support
14 26 program budget that is local funding. The remaining portion
14 27 of the budget shall be funded by instructional support state
14 28 aid.

14 29 2. There is appropriated for each fiscal year from the
14 30 general fund of the state to the department of education, an
14 31 amount necessary to pay instructional support state aid as
14 32 ~~provided in this section~~ determined under subsection 1.

14 33 a. However, moneys appropriated under this subsection
14 34 shall not exceed the amount of moneys appropriated as
14 35 instructional support state aid for the budget year which
15 1 commenced on July 1, 1992.

15 2 b. If the amount appropriated under this subsection is
15 3 insufficient to pay the amount of instructional support state
15 4 aid determined under subsection 1, the department of education
15 5 shall prorate the amount of the instructional support state
15 6 aid provided to each district.

15 7 3. If the general assembly makes an appropriation for

CODE: Limits the Instructional Support State Aid to the amount appropriated in FY 1993. Requires that the Department of Education prorate the funds if they are insufficient. Requires that an allocation of the funds be provided if additional State funds are appropriated for Instructional Support.

15 8 instructional support state aid in lieu of the standing
 15 9 appropriation provided under subsection 2, the appropriation
 15 10 for instructional support state aid shall include in the
 15 11 appropriation the allocation of the instructional support
 15 12 state aid to the school districts applicable for that
 15 13 appropriation and subsections 1 and 2 do not apply to the
 15 14 appropriation.

15 15 4. Instructional support state aid shall be paid at the
 15 16 same time and in the same manner as foundation aid is paid
 15 17 under section 257.16.

15 18 Sec. 17. Section 273.3, subsection 12, Code 1991, is
 15 19 amended to read as follows:

15 20 12. Prepare an annual budget estimating income and
 15 21 expenditures for programs and services as provided in sections
 15 22 273.1 to 273.9 and chapter 281 within the limits of funds
 15 23 provided under section 281.9 and chapter 257. The board shall
 15 24 give notice of a public hearing on the proposed budget by
 15 25 publication in an official county newspaper in each county in
 15 26 the territory of the area education agency in which the
 15 27 principal place of business of a school district that is a
 15 28 part of the area education agency is located. The notice
 15 29 shall specify the date, which shall be not later than **February**
 15 30 **March** 1 of each year, the time, and the location of the public
 15 31 hearing. The proposed budget as approved by the board shall
 15 32 then be submitted to the state board of education, on forms
 15 33 provided by the department, no later than **February** **March** 15
 15 34 preceding the next fiscal year for approval. The state board
 15 35 shall review the proposed budget of each area education agency
 16 1 and shall before ~~March~~ **April** 1, either grant approval or
 16 2 return the budget without approval with comments of the state
 16 3 board included. An unapproved budget shall be resubmitted to
 16 4 the state board for final approval not later than April 15.

16 5 Sec. 18. Section 279.15, subsection 1, Code Supplement
 16 6 1991, is amended to read as follows:

16 7 1. The superintendent or the superintendent's designee

• CODE: Changes the budget notification for area education agencies (AEAs) from February 14 to March 15, and changes the date for State board review from March 1 to April 1.

CODE: Changes the date for teacher termination notification from April 30 to May 15.

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Senate ~~File~~ 2351

Explanation

16 8 shall notify the teacher not later than April ~~15~~ 30 that the
 16 9 superintendent will recommend in writing to the board at a
 16 10 regular or special meeting of the board, held not later than
 16 11 ~~April 30~~ May 15, that the teacher's continuing contract be
 16 12 terminated effective at the end of the current school year.
 16 13 However, if the district is subject to reorganization under
 16 14 chapter 275, the notification shall not occur until after the
 16 15 first organizational meeting of the board of the newly formed
 16 16 district.

16 17 **Sec. 19.** Section 279.16, unnumbered paragraph **6**, Code
 16 18 1991, as amended by House File 2235, section 1, is amended to
 16 19 read as follows:

16 20 If the teacher fails to timely request a private hearing or
 16 21 does not appear at the private hearing, the board may proceed
 16 22 and make a determination upon the superintendent's
 16 23 ~~recommendation, which, if the teacher fails to timely file a~~
 16 24 ~~request for a private hearing, the determination in that case~~
 16 25 ~~shall be not later than May 10, or 31. If the teacher fails~~
 16 26 ~~to appear at the private hearing, the determination shall be~~
 16 27 ~~not later than five days after the scheduled date for the~~
 16 28 ~~private hearing, whichever is applicable.~~ The board shall
 16 29 convene in open session and by roll call vote determine the
 16 30 termination or continuance of the teacher's contract.

CODE: Changes the date for a teacher's private hearing concerning termination from May 10 to May 31.

16 31 **Sec. 20.** Section 279.24, unnumbered paragraphs **3, 5,** and
 16 32 **7**, Code 1991, as amended by House File 2245, section 1, are
 16 33 amended to read as follows:

6 34 Administrators employed in a school district for less than
 6 35 two consecutive years are probationary administrators.
 7 1 However, a school board may waive the probationary period for
 7 2 any administrator who has previously served a probationary
 7 3 period in another school district and the school board may
 7 4 extend the probationary period for ~~an~~ additional year with the
 17 5 consent of the administrator. If a school board determines
 17 6 that it should terminate a probationary administrator's
 17 7 contract, the school board shall notify the administrator not

CODE: Changes the date that school administrators need to be notified of contract termination from April 30 to May 15.

17 8 later than ~~April 30~~ May 15 that the contract will not be
 17 9 renewed beyond the current year. The notice shall be in
 17 10 writing by letter, personally delivered, or mailed by
 17 11 certified mail. The notification shall be complete when
 17 12 received by the administrator. Within ten days after
 17 13 receiving the notice, the administrator may request a private
 17 14 conference with the school board to discuss the reasons for
 17 15 termination. The school board's decision to terminate a
 17 16 probationary administrator's contract shall be final unless
 17 17 the termination was based upon an alleged violation of a
 17 18 constitutionally guaranteed right of the administrator.
 17 19 On or before ~~April 30~~ May 15, the administrator shall be
 17 20 notified in writing by a letter personally delivered or mailed
 17 21 by certified mail that the school board has voted to consider
 17 22 termination of the contract. The notification shall be
 17 23 complete when received by the administrator.
 17 24 Within five days after receipt of the written notice that
 17 25 the school board has voted to consider termination of the
 17 26 contract, the administrator may request in writing to the
 17 27 secretary of the school board that the notification be
 17 28 forwarded to the board of educational examiners along with a
 17 29 request that the board of educational examiners submit a list
 17 30 of five qualified administrative law judges to the parties.
 17 31 Within three days from receipt of the list the parties shall
 17 32 select an administrative law judge by alternately removing a
 17 33 name from the list until only one name remains. The person
 17 34 whose name remains shall be the administrative law judge. The
 17 35 parties shall determine by lot which party shall remove the
 18 1 first name from the list. The hearing shall be held no sooner
 18 2 than ten days and not later than thirty days following the
 18 3 administrator's request unless the parties otherwise agree.
 18 4 If the administrator does not request a hearing, the school
 18 5 board, not later than ~~May 15~~ May 31, may determine the continuance
 18 6 or discontinuance of the contract. School board action shall
 18 7 be by majority roll call vote entered on the minutes of the
 18 8 meeting. Notice of school board action shall be personally
 18 9 delivered or mailed to the administrator.

18 10 Sec. 21. Section 279.51, subsection 1, unnumbered
 18 11 paragraph 1, Code Supplement 1991, is amended to read as
 18 12 follows:

18 13 There is appropriated from the general fund of the state to
 18 14 the department of education for the fiscal year beginning July
 18 15 1, 1990, the sum of eight million seven hundred thousand
 18 16 dollars. ~~For the fiscal year beginning July 1, 1991, and each~~
 18 17 ~~succeeding fiscal year, there is appropriated the sum of~~
 18 18 ~~eleven million two hundred thousand dollars plus an additional~~
 18 19 ~~amount equal to the state percent of growth as calculated in~~
 18 20 ~~section 257.8 multiplied by the amount appropriated the~~
 18 21 ~~previous fiscal year.~~ For each fiscal year beginning on or
 18 22 after July 1, 1993, there is appropriated the sum which was
 18 23 appropriated for the fiscal year commencing July 1, 1992.

CODE: Limits the amount appropriated for Child Development Grants to the amount appropriated in FY 1993 for subsequent years.

18 24 Sec. 22. Section 280A.50, unnumbered paragraph 1, Code
 18 25 1991, is amended to read as follows:

18 26 The department of education shall provide for the
 18 27 establishment of a staff development account in the office of
 18 28 treasurer of state for purposes of providing moneys to
 18 29 community colleges for staff development. There is
 18 30 appropriated from the general fund of the state to the
 18 31 department of education on July 1 of each fiscal year
 18 32 beginning July 1, \$992 ~~1993~~, for crediting to the staff
 18 33 development account for each budget year ~~an amount equal to an~~
 18 34 ~~amount which is five tenths of one percent of the total state~~
 18 35 ~~general aid generated under chapter 286A for all community~~
 19 1 ~~colleges during the base year. In the fiscal years succeeding~~
 19 2 ~~June 30, 1993, an additional five tenths of one percent shall~~
 19 3 ~~be added to the percent multiplier, used to determine the~~
 19 4 ~~appropriation in this section, until that percent multiplier~~
 19 5 ~~reaches four percent. Once the percent multiplier has reached~~
 19 6 ~~the four percent level, it shall remain at that level for~~
 19 7 ~~purposes of calculating the amount to be appropriated in~~
 19 8 ~~succeeding fiscal years~~ the sum of six hundred thousand
 19 9 dollars. Moneys appropriated by the general assembly to the

CODE: Limits the amount appropriated to \$600,000 annually for staff development at the community colleges.

19 10 department of education for the purpose of the staff
 19 11 development program shall be paid to community colleges upon
 19 12 approval by the department of education of an application
 19 13 submitted by a community college. Funds shall be distributed
 19 14 to a community college based upon the proportion that a
 19 15 college's state general aid paid for the base year bears to
 19 16 the total state general aid paid that year to all community
 19 17 colleges.

19 18 Sec 23 Section 294A.9, unnumbered paragraph 1, Code
 19 19 1991, is amended to read as follows:
 19 20 Phase II is established to improve the salaries of
 19 21 teachers. For each fiscal year ~~through the fiscal year~~
 19 22 ~~beginning on or after July 1, 1990 1992,~~ the ~~department of~~
 19 23 ~~education shall allocate to each school district for the~~
 19 24 ~~purpose of implementing phase II a~~ per pupil amount upon which
 19 25 the phase II moneys are based is equal to ~~seventy-five dollars~~
 19 26 ~~and ninety-three cents multiplied by the district's certified~~
 19 27 ~~enrollment and to each area education agency for the purpose~~
 19 28 ~~of implementing phase II a per pupil amount equal to three~~
 19 29 ~~dollars and fifty-five cents multiplied by the enrollment~~
 19 30 ~~served in the area education agency. Notwithstanding the per~~
 19 31 ~~pupil amount of the payments specified in this section, for~~
 19 32 ~~the fiscal year beginning July 1, 1991, and each succeeding~~
 19 33 ~~fiscal year, the per pupil amounts upon which the phase II~~
 19 34 ~~moneys are based shall be increased by an amount equal to the~~
 19 35 ~~procent of the state percent of growth calculated under~~
 20 1 ~~section 257.8 and the per pupil amount for the previous fiscal~~
 20 2 ~~year the per pupil allocation plus supplemental allocations~~
 20 3 ~~for the immediately preceding fiscal year.~~

CODE: Limits the per pupil allocation of Phase II of the Educational Excellence Program to the amount allocated in FY 1992.

20 4 Sec. 24. Section 294A.14, unnumbered paragraph 2, Code
 20 5 1991, is amended by striking the unnumbered paragraph.

CODE: Limits Phase III of the Educational Excellence Program by eliminating allowable growth.

20 6 Sec. 25. Section 294A.14, unnumbered paragraph 13, Code
 20 7 1991, is amended by striking the paragraph and inserting in
 20 8 lieu thereof the following:

CODE: Provides a definition of comprehensive school transformation for purposes of Phase III of the Educational Excellence Program.

20 9 For purposes of this section, comprehensive school
 20 10 transformation means activities which focus on the
 20 11 improvement of student achievement and the attainment of
 20 12 student achievement goals under sections 280.12 and 280.18. A
 20 13 comprehensive school transformation plan submitted by a school
 20 14 district shall demonstrate the manner in which the components
 20 15 of the plan are integrated with a school's student achievement
 20 16 goals. Components of the plan may include, but are not
 20 17 limited to, providing salary increases to teachers who
 20 18 implement site-based shared decision making, building-based
 20 19 goal-oriented compensation mechanism, or approved innovative
 20 20 educational programs; who focus on student outcomes; who
 20 21 direct accountability for student achievement or
 20 22 accountability for organizational success; and who work to
 20 23 foster relationships between a school and businesses or public
 20 24 agencies which provide health and social services.

20 25 Sec. 26. Section 294A.16, unnumbered paragraph 3, Code
 20 26 1991, is amended to read as follows:
 20 27 The department of education shall review each plan and its
 20 28 budget and notify the department of management of the names of
 20 29 school districts and area education agencies with approved
 20 30 plans. In considering the approval of a plan submitted by a
 20 31 school district, the department shall give emphasis to plans
 20 32 which include a comprehensive school transformation plan or
 20 33 which include a component which is part of a statewide
 20 34 systemic school transformation initiative. In considering the
 20 35 approval of a plan submitted by an area education agency, the
 21 1 department shall give emphasis to plans which are integrated
 21 2 with and supportive of the comprehensive school transformation
 21 3 plans submitted by the school districts within the area
 21 4 education agency.

21 5 Sec. 27. Section 294A.25, subsection 1, Code 1991, is
 21 6 amended to read as follows:
 21 7 1. For the fiscal year beginning July 1, 1990, there is
 21 8 appropriated from the general fund of the state to the

CODE: Requires the Department of Education to give emphasis to Phase III plans that include a comprehensive school transformation plan.

CODE: Limits the Educational Excellence Program in FY 1994 to the amount appropriated in FY 1993.

21 9 department of education the amount of ninety-two million one
 21 10 hundred thousand eighty-five dollars to be used to improve
 21 11 teacher salaries. For each fiscal year ~~thereafter~~ in the
 21 12 fiscal period commencing July 1, 1991, and ending June 30,
 21 13 1993, there is appropriated an amount equal to the amount
 21 14 appropriated for the fiscal year beginning July 1, 1990, plus
 21 15 an amount sufficient to pay the costs of the additional
 21 16 funding provided for school districts and area education
 21 17 agencies under sections 294A.9 and 294A.14. For each fiscal
 21 18 year beginning on or after July 1, 1993, there is appropriated
 21 19 the sum which was appropriated for the fiscal year commencing
 21 20 July 1, 1992, including supplemental payments. The moneys
 21 21 shall be distributed as provided in this section.

21 22 Sec. 28. Section 421.31, subsection 5, Code 1991, is
 21 23 amended to read as follows:
 21 24 5 ACCOUNTS. To keep the central budget and proprietary
 21 25 control accounts of the state government ~~in accordance with~~
 21 26 ~~generally accepted accounting principles.~~ Budget accounts are
 21 27 those accounts maintained to control the receipt and
 21 28 disposition of all funds, appropriations, and allotments.
 21 29 Proprietary accounts are those accounts relating to assets,
 21 30 liabilities, income, and expense. For each fiscal year, the
 21 31 financial position and results of operations of the state
 21 32 shall be reported in a comprehensive annual financial report
 21 33 prepared in accordance with generally accepted accounting
 21 34 principles, as established by the governmental accounting
 21 35 standards board.

22 1 Sec. 29. Section 422.69, subsection 3, Code Supplement
 22 2 1991, is amended by striking the subsection.

22 3 Sec. 30. 1986 Iowa Acts, chapter 1245, section 2046, as
 22 4 amended by 1986 Iowa Acts, chapter 1238, section 59, is
 22 5 repealed.

22 6 Sec. 31. Section 4278.13, Code Supplement 1991, is

CODE: Adds a requirement that the financial position of the State shall be reported in a Comprehensive annual report prepared in accordance with GAAP, and eliminates a requirement that the central budget be kept in accordance with GAAP.

CODE: Repeals the section requiring the deposit of GAAP monies into the General Fund.

CODE: Repeals the section requiring the State's accounts be kept in accordance with GAAP beginning in FY 1993.

CODE: Repeals the standing appropriation for

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22 7 repealed

Machinery and Computer Equipment Tax Replacement. No funds were appropriated in FY 1992 for this purpose.

22 8 Sec. 32. The state percent of growth for the school budget
 22 9 year beginning July 1, 1993, computed by the department of
 22 10 management on or before September 15, 1991, is null and void.

Specifies that the State percent of allowable growth established by the DOM for FY 1994 (3.953%) is null and void.

22 11 Sec. 33. Sections 15, 16, and 32 of this Act take effect
 22 12 July 1, 1992, for purposes of computing state aid to school
 22 13 corporations, area education agencies, and merged area schools
 22 14 for school budget years beginning on or after July 1, 1993.
 22 15 This section and sections 28, 29, and 30 of this Act, being
 22 16 deemed of immediate importance, take effect upon enactment.
 22 17 SF 2351
 22 18 gk/cc/26

Specifies that the sections that pertain to allowable growth and the Instructional Support Program take effect on July 1, 1992 for purposes of computing FY 1994 State Aid. Also specifies that the sections that pertain to GAAP requirements take effect upon enactment.

**EXECUTIVE SUMMARY
OIL OVERCHARGE APPROPRIATIONS BILL**

SENATE FILE 2361

**OIL OVERCHARGE
APPROPRIATIONS**

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

STUDIES AND INTENT LANGUAGE

- Appropriates a total of \$4.5 million from the Energy Conservation Trust (Oil Overcharge) to the Department of Natural Resources (DNR) and the Department of Human Rights (DHR), for energy conservation and research purposes. This is a \$2.0 million (30.6%) decrease from the estimated net FY 1992 appropriation. (Various)
- Appropriates \$200,000 of the total appropriation to the Local Energy Bank Program. This Program has not received State funding in previous years. (Page 1, Line 29)
- Expands the types of energy efficient lighting local governments are allowed to use to replace lighting at stadiums and ball parks. (Page 2, Line 2)
- *Requires the Commission on Community Action Agencies, in cooperation with the Energy Funds Disbursement Council, to submit a report to the General Assembly by January 15, 1993, which provides recommendations for continuation of the energy conservation programs for low-income persons. (Page 2, Line 34)

Senate File 2361

Senate File 2361 provides for the following changes to the Code of Iowa.

<u>Page #</u>	<u>Line #</u>	<u>Bill Section</u>	<u>Action</u>	<u>Code Section Changed</u>	<u>Description</u>
2	2	3	Amends	Sec. 364.23 Code Supplement 1991	Energy Efficient Lighting Requirements
2	20	4	Amends	Sec. 4, Chap. 1249 1986 Iowa Acts As Amended	Extends Reversion Dates of Previous Oil Overcharge Appropriations

1 1 Section 1. There is appropriated from those funds
 1 2 designated within the energy conservation trust created in
 1 3 section 93.11, for disbursement under section 93.11 to the
 1 4 following named agencies for the fiscal year beginning July 1,
 1 5 1992, and ending June 30, 1993, the following amounts, or *so*
 1 6 much thereof as is necessary, to be used for the purposes
 1 7 designated:

Appropriations contained in this Act are from the Energy Conservation Trust Fund, and are appropriated to the State agencies specified in the Act.

1 8 1. To the division of community action agencies of the
 1 9 department of human rights for qualifying energy conservation
 1 10 programs for low-income persons, including but not limited to
 1 11 energy weatherization projects, which target the highest
 1 12 energy users, and including administrative costs, to be
 1 13 expended first from the available balances in the
 1 14 Warner/Imperial fund and in the office of hearings and appeals
 1 15 second-stage settlement fund and then from the Exxon fund for
 1 16 a total appropriation not to exceed:
 1 17 \$ 3,000,000

Exxon Account appropriation to the Division of Community Action Agencies of the Department of Human Rights (DHR) for qualifying energy conservation programs for low-income persons. Maintains current level of funding.

1 18 2. To the department of natural resources for the
 1 19 following purposes:
 1 20 a. Reimbursement for costs incurred by the department of
 1 21 natural resources for carrying out the general provisions
 1 22 section of the groundwater protection Act pursuant to section
 1 23 455E.8, from the Stripper Well fund:
 1 24 \$ 770,000

Stripper Well Account appropriation to the Department of Natural Resources (DNR) for deposit in the Groundwater Protection Fund.

DETAIL: This action brings the total Oil Overcharge appropriation to the Groundwater Fund, from FY 1988 through FY 1993, to \$18,660,000. Fiscal year 1992 was the final year in which the Groundwater Protection Act provided for an Oil Overcharge appropriation.

1 25 b. For the state energy conservation program, and the
 1 26 energy extension service for purposes of maintaining their
 1 27 fiscal year 1989 funding levels, from the Exxon fund:
 1 28 \$ 238,290

Exxon Account appropriation to the DNR for the State Energy Conservation Program and the Residential Energy Extension Program. Each program is to receive its FY 1989 level of funding.

DETAIL: Maintains current level of funding. The FY

1 29 c. For development costs of the local government energy
 1 30 bank program, from the Exxon fund:
 1 31 \$ 200.000

1989 level of funding is \$118,500 for the State Energy Conservation Program and \$119,700 for the Residential Energy Extension Program.

Exxon Account appropriation to the DNR for the Local Government Energy Bank Program.

DETAIL: This Program has not received Oil Overcharge funds in the past.

1 32 Sec. 2. There is appropriated an amount up to 5 percent,
 1 33 but not to exceed \$300,000, of the allowable petroleum
 1 34 overcharge money appropriated for the fiscal year beginning
 1 35 July 1, 1992, to be used for administration of the petroleum
 2 1 overcharge programs.

Appropriates funds to the DNR for administration of the Oil Overcharge Programs. Maintains current level of funding.

2 2 Sec. 3. Section 364.23, Code Supplement 1991, is amended
 2 3 to read as follows:

2 4 364.23 ENERGY EFFICIENT LIGHTING REQUIRED.
 2 5 All city-owned exterior flood lighting, including but not
 2 6 limited to street and security lighting but not including era
 2 7 or period lighting which has a minimum efficiency rating of
 2 8 fifty-eight lumens per watt and not including stadium or ball
 2 9 park lighting, shall be replaced, when worn-out, exclusively
 2 10 with high pressure sodium lighting or lighting with equivalent
 2 11 or better energy efficiency as approved in rules adopted by
 2 12 the utilities board within the utilities division of the
 2 13 department of commerce. In lieu of the requirements
 2 14 established for replacement lighting under this section,
 2 15 stadium or ball park lighting shall be replaced, when worn
 2 16 out, with the most energy-efficient lighting available at the
 2 17 time of replacement which may include metal halide, high-
 2 18 pressure sodium, or other light sources which may be
 2 19 developed.

CODE: Expands the types of energy efficient lighting local governments are allowed to use to replace lighting at stadiums and ball parks.

2 20 Sec. 4. 1986 Iowa Acts, chapter 1249, section 4,
 2 21 unnumbered paragraph 1, as amended by 1987 Iowa Acts, chapter

CODE: Extends reversion dates made in previous Oil Overcharge appropriations bills to June 30, 1993.

2 22 230, section 8; 1988 Iowa Acts, chapter 1281, section 6; 1989
 2 23 Iowa Acts, chapter 312, section 6; 1990 Iowa Acts, chapter
 2 24 1265, section 3; and 1991 Iowa Acts, chapter 270, section 3,
 2 25 is amended to read as follows:
 2 26 There is appropriated from the funds available in the
 2 27 energy conservation trust, established in section 93.11, for
 2 28 the fiscal period beginning July 1, 1986, and ending June 30,
 2 29 \$992 ~~1993~~, to the department of natural resources for
 2 30 disbursement under section 93.11, the following amounts, or so
 2 31 much thereof as is necessary, to be used for the purposes
 2 32 designated consistent with the expressed legislative intent of
 2 33 this Act:

2 34 Sec. 5. CONTINUATION OF ENERGY CONSERVATION PROGRAMS --
 2 35 FUNDING RECOMMENDATIONS.

3 1 The commission on community action agencies in cooperation
 3 2 with the energy fund disbursement council shall submit a
 3 3 report to the general assembly by January 15, 1993, which
 3 4 provides recommendations, following depletion of the funds
 3 5 provided through disbursement of the energy conservation
 3 6 trust, for the continued funding of the energy conservation
 3 7 programs for low-income persons.
 3 8 SF 2361
 3 9 pf/cc/26

Requires the Commission on Community Action Agencies, in cooperation with the Energy Funds Disbursement Council, to submit a report to the General Assembly by January 15, 1993, which provides recommended funding options for continuation of the energy conservation programs for low-income persons.

**EXECUTIVE SUMMARY
FEDERAL BLOCK GRANT APPROPRIATIONS BILL**

SENATE FILE 2366

FY 1993 BLOCK GRANTS

• Provides the mechanism for the State to receive **\$124.2** million in federal **block** grant funds, which includes the following:

- Alcohol and Drug Abuse and Mental Health **Services** - **\$8.2** million. (Page **1**, **Line 3**)
- Maternal and Child Health Services - **\$6.8** million. (Page **2**, **Line 27**)
- Preventive Health and Health Services - **\$1.5** million. (Page **4**, **Line 19**)
- Drug Control and System Improvement Grant Program - **\$4.8** million. (Page **5**, **Line 31**)
- Community Services - **\$3.9** million. (Page **6**, **Line 20**)
- Community Development - **\$25.1** million. (Page **7**, **Line 18**)
- Education - **\$5.0** million. (Page **8**, **Line 14**)
- Low-Income Home Energy Assistance - **\$27.4** million. (Page **9**, **Line 21**)
- Social Services - **\$31.1** million. (Page **11**, **Line 8**)
- Jobs Child **Care** Entitlement - **\$3.2** million. (Page **13**, **Line 29**)
- Child Care and Development - **\$7.2** million. (Page **14**, **Line 7**)

**FEDERAL AND NONSTATE FUNDS
APPROPRIATIONS**

- Appropriates federal and nonstate funds to the Department of Public Safety for **FY 1993**. (Page **24**, **Line 9**)
- Appropriates federal and nonstate funds to the Department of Public Health for **FY 1993**. (Page **25**, **Line 6**)
- Appropriates federal and nonstate funds to the Department of Human Services for **FY 1993**. (Page **28**, **Line 28**)
- Appropriates federal and nonstate funds to the Department of Economic Development for **FY 1993**. (Page **33**, **Line 3**)
- Appropriates federal **and** nonstate funds to the Department of Transportation for **FY 1993**. (Page **34**, **Line 9**)

**EXECUTIVE SUMMARY
FEDERAL BLOCK GRANT APPROPRIATIONS BILL**

SENATE FILE 2366

**PROCEDURES FOR REDUCED AND
INCREASED FEDERAL FUNDS**

**PROCEDURE FOR CONSOLIDATED,
CATEGORICAL, OR EXPANDED
FEDERAL FUNDS**

**FEDERAL AND NONSTATE FUNDS
NOTIFICATION REQUIREMENTS**

- *Appropriates federal and nonstate funds to the Department of Education for **FY 1993**. (Page 35, Line 15)
- Appropriates federal and nonstate funds to the remaining State agencies for the **purposes** set forth in the **grants**, receipts, or conditions accompanying the funds, **unless** otherwise provided by law.
- Requires the Governor to prorate the funds to various programs on the **same percentage** basis as specified in the Act, if funding received from the federal government is less than **the amount** appropriated. If the funds received exceed the amount appropriated, the **excess** shall be prorated to the appropriate programs according to the **same** percentages. (Page 14, Line 20)
- Requires that the federal funds formerly received **as categorical grants** and **consolidated into block grants**, or block grants expanded to include programs formerly funded by categorical **grants**, be appropriated for the programs formerly funded by the categorical grants subject to **certain** conditions. (Page 15, Line 31)
- Requires all **State agencies** to notify the Department of Management and the Legislative Fiscal Bureau by November 15, 1992, of estimates of all receipts and **expenditures** of federal and nonstate funds for **FY 1992**, and all anticipated federal and nonstate funds for **FY 1993**. (Page 39, Line 1)

Senate File 2366

Senate File 2366 provides for the following changes to the Code of Iowa.

<u>Page #</u>	<u>Line #</u>	<u>Bill Section</u>	<u>Action</u>	<u>Code Section Changed</u>	<u>Description</u>
15	31	16	Nwthstnd	Sec. 8.41	Appropriation of Categorical Grants as Block Grants

1 1 Section 1. ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH
1 2 SERVICES APPROPRIATION.

1 3 1. There is appropriated from the fund created by section
1 4 8.41 to the Iowa department of public health for the federal
1 5 fiscal year beginning October 1, 1992, and ending September
1 6 30, 1993, the following amount:
1 7 \$ 8,212,000
1 8 Funds appropriated by this subsection are the anticipated
1 9 funds to be received from the federal government for the
1 10 designated federal fiscal year under Pub. L. No. 97-35, Title
1 11 IX, Subtitle A, and Pub. L. No. 97-414 which provides for the
1 12 alcohol and drug abuse and mental health services block grant.
1 13 The department shall expend the funds appropriated by this
1 14 subsection as provided in the federal law making the funds
1 15 available and in conformance with chapter 17A.

Federal Fiscal Year (FFY) 1993 Block Grant appropriation to the Department of Public Health (DPH) for the Alcohol and Drug Abuse and Mental Health Services Block Grant.

1 16 Of the funds appropriated in this subsection, an amount not
1 17 exceeding 4.25 percent shall be used by the department for
1 18 administrative expenses.

Requires that a maximum of \$349,010 (4.25%) be expended by the DPH for administrative costs.

1 19 Of the funds appropriated in this subsection, an amount not
1 20 exceeding \$29,680 shall be used for audits.

Requires that a maximum of \$29,680 (0.36%) of the funds appropriated in Section 1.1 of this Act be used for audit costs.

1 21 2. Ten percent of the remaining funds, as allowed pursuant
1 22 to Pub. L. No. 97-35, Title IX, subtitle A, and which are
1 23 appropriated in subsection 1 shall be transferred to the
1 24 division of mental health, mental retardation, and
1 25 developmental disabilities within the department of human
1 26 services and allocated for community mental health centers
1 27 with priority being given to dual diagnosis. Of this amount,
1 28 10 percent shall be used to provide services and programs for
1 29 severely emotionally disturbed children and adolescents, and
1 30 55 percent shall be used to develop and provide community
1 31 mental health services and programs not available on October

Requires \$701,211 (10.0%) of the remaining funds appropriated in Section 1.1 of this Act be transferred to the Division of Mental Health, Mental Retardation, and Developmental Disabilities within the Department of Human Services for community mental health centers with priority given to dual diagnosis. Requires \$70,121 (10.0%) of the amount transferred be used to provide services and programs for severely emotionally disturbed children and youth, \$385,666 (55.0%) be used to establish new community mental health services and programs, and a maximum of

PG LN **Senate File 2366** **Explanation**

1 32 1, 1988. New services developed between October 1, 1984, and
 1 33 October 1, 1988, with alcohol, drug abuse, and mental health
 1 34 services block grant funds may be treated as new services. Of
 1 35 the amount transferred to the division under this subsection,
 2 1 an amount not exceeding 5 percent shall be used by the
 2 2 department of human services for administrative expenses.

\$35,061 (5.0%) be used for **administrative** costs.

2 3 3. Ten percent of the funds appropriated in subsection 1
 2 4 shall be used to provide alcohol and drug abuse services to
 2 5 women.

Requires \$821,200 (10.0%) of the funds appropriated in Section 1.1 of this Act be used for alcohol and drug abuse services to women.

2 6 4. After deducting the funds allocated in subsections 1,
 2 7 2, and 3, the remaining funds appropriated in subsection 1
 2 8 shall be allocated according to the following percentages to
 2 9 supplement appropriations for the following programs within
 2 10 the Iowa department of public health:

Requires that the remaining funds appropriated in Section 1.1 of this Act be allocated by percentage to the listed programs.

2 11 a. Drug abuse treatment programs
 2 12 38.89%

Requires an allocation of \$2,454,309 for drug abuse treatment programs.

2 13 Of the amount appropriated under this paragraph, at least
 2 14 \$1,436,856 shall be used for intravenous drug abusers unless a
 2 15 waiver is granted from the federal government.

Requires \$1,436,856 of the funds appropriated in Section 1.4(a) of this Act be used for intravenous drug abusers unless the federal government grants a waiver.

2 16 b. Alcohol abuse treatment programs
 2 17 38.89%

Requires an allocation of \$2,454,309 for alcohol abuse treatment programs.

2 18 c. Alcohol and drug abuse prevention programs
 2 19 22.22%

Requires an allocation of \$1,402,282 for alcohol and drug abuse prevention programs.

2 20 Priority shall be given to maintaining existing services,
 2 21 reducing the treatment waiting lists, providing aftercare
 2 22 services, and providing early intervention in the treatment of
 2 23 substance-abusing pregnant women.

Requires that priority be given to the listed areas of substance abuse treatment and prevention services.

2 24 Priority shall be given to maintaining existing services
 2 25 and funding additional prevention services.

2 26 Sec. 2. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

2 27 1. There is appropriated from the fund created by section
 2 28 8.41 to the Iowa department of public health for the federal
 2 29 fiscal year beginning October 1, 1992, and ending September
 2 30 30, 1993, the following amount:

2 31 \$ 6,793,917

2 32 The funds appropriated by this subsection are the funds
 2 33 anticipated to be received from the federal government for the
 2 34 designated federal fiscal year under Pub. L. No. 97-35, Title
 2 35 XXI, Subtitle D, as amended, which provides for the maternal
 3 1 and child health services block grant. The department shall
 3 2 ~~expend~~ the funds appropriated by this subsection as provided
 3 3 in the federal law making the funds available and in
 3 4 conformance with chapter 17A.

3 5 Of the funds appropriated in this subsection, an amount not
 3 6 exceeding \$57,184 shall be used for audits.

3 7 Funds appropriated in this subsection shall not be used by
 3 8 the university of Iowa hospitals and clinics for indirect
 3 9 costs.

3 10 2. An amount not exceeding \$150,000 of the funds
 3 11 appropriated in subsection 1 to the Iowa department of public
 3 12 health shall be used by the Iowa department of public health
 3 13 for administrative expenses in addition to the amount to be
 3 14 used for audits in subsection 1.

3 15 The departments of public health, human services, and
 3 16 education and the university of Iowa's mobile and regional
 3 17 child health specialty clinics shall continue to pursue to the
 3 18 maximum extent feasible the coordination and integration of
 3 19 services to women and children in selected pilot areas.

FFY 1993 Block Grant appropriation to the DPH for the Maternal and Child Health Services Block Grant.

Requires that a maximum of \$57,184 (0.84%) of the funds appropriated in Section 2.1 of this Act be used for audit costs.

Requires that the funds appropriated in Section 2.1 of this Act not be used by the University of Iowa Hospitals and Clinics for indirect costs.

Requires that a maximum of \$150,000 (2.2%) be expended by the DPH for administrative costs, in addition to the amount to be used for audit costs.

Directs that the Departments of Public Health, Human Services, and Education, and the University of Iowa's Mobile and Regional Child Health Specialty Clinics continue the integration and coordination of services to women and children in selected pilot areas and prepare a progress report for the General Assembly.

3 20 3. Sixty-three percent of the remaining funds appropriated
 3 21 in subsection 1 shall be allocated to supplement
 3 22 appropriations for maternal and child health programs within
 3 23 the Iowa department of public health. Of these funds,
 3 24 \$284,548 shall be set aside for the statewide perinatal care
 3 25 program.

Requires \$4,149,642 (63.0%) of the remaining funds in Section 2.1 of this Act be allocated to Maternal and Child Health Programs with \$284,548 to be used for the Statewide Perinatal Care Program.

3 26 Thirty-seven percent of the remaining funds appropriated in
 3 27 subsection 1 shall be allocated to the university of Iowa
 3 28 hospitals and clinics under the control of the state board of
 3 29 regents for mobile and regional child health specialty
 3 30 clinics. The university of Iowa hospitals and clinics shall
 3 31 not receive an allocation for indirect costs from the funds
 3 32 for this program. Priority shall be given to establishment
 3 33 and maintenance of a statewide system of mobile and regional
 3 34 child health specialty clinics.

Requires \$2,437,091 (37.0%) of the remaining funds in Section 2.1 of this Act be contracted to the University of Iowa Hospitals and Clinics under the control of the State Board of Regents. Requires that the Hospitals and Clinics not receive an allocation for indirect costs and priority be given to the establishment and maintenance of a statewide system of Mobile and Regional Child Health Specialty Clinics.

3 35 4. Those federal maternal and child health services block
 4 1 grant funds transferred from the federal preventive health and
 4 2 health services block grant funds under section 3, subsection
 4 3 4 of this Act for the federal fiscal year beginning October 1,
 4 4 1992, are transferred to the maternal and child health
 4 5 programs and to the university of Iowa's mobile and regional
 4 6 child health specialty clinics according to the percentages
 4 7 specified in subsection 3.

Requires that funds transferred from the Preventive Health and Health Services Block Grant in Section 3.4 of this Act be distributed according to the percentages in Section 2.3 of this Act.

4 8 5. The Iowa department of public health shall administer
 4 9 the statewide maternal and child health program and the
 4 10 crippled children's program by conducting mobile and regional
 4 11 child health specialty clinics and conducting other activities
 4 12 to improve the health of low-income women and children and to
 4 13 promote the welfare of children with actual Or potential
 4 14 handicapping conditions and chronic illnesses in accordance
 4 15 with the requirements of Title V of the federal Social
 4 16 Security Act.

Requires the DPH to administer the Statewide Maternal and Child Health Program and the Crippled Children's Program.

4 17 Sec. 3. PREVENTIVE HEALTH AND HEALTH SERVICES
4 18 APPROPRIATIONS.

4 19 1. There is appropriated from the fund created by section
4 20 8.41 to the Iowa department of public health for the federal
4 21 fiscal year beginning October 1, 1992, and ending September
4 22 30, 1993, the following amount:

4 23 \$ 1,511,916

4 24 Funds appropriated by this subsection are the funds
4 25 anticipated to be received from the federal government for the
4 26 designated federal fiscal year under Pub. L. No. 97-35, Title
4 27 IX, Subtitle A, which provides for the preventive health and
4 28 health services block grant. The department shall expend the
4 29 funds appropriated by this subsection as provided in the
4 30 federal law making the funds available and in conformance with
4 31 chapter 17A.

4 32 Of the funds appropriated in this subsection, an amount not
4 33 exceeding \$5,522 shall be used for audits.

4 34 2. An amount not exceeding \$94,670 of the remaining funds
4 35 appropriated in subsection 1 shall be used by the Iowa
5 1 department of public health for administrative expenses in
5 2 addition to the amount to be used for audits in subsection 1.

5 3 3. Of the remaining funds appropriated in subsection 1,
5 4 the specific amount of funds required by Pub. L. No. 97-35,
5 5 Title IX, Subtitle A, shall be allocated to the rape
5 6 prevention program.

5 7 4. Pursuant to Pub. L. No. 97-35, Title IX, Subtitle A, as
5 8 amended, 7 percent of the remaining funds appropriated in
5 9 subsection 1 is transferred within the special fund in the
5 10 state treasury established under section 8.41, for use by the
5 11 Iowa department of public health as authorized by Pub. L. No.
5 12 97-35, Title XXI, Subtitle D, as amended, and section 2 of

FFY 1993 Block Grant appropriation to the DPH for the Preventive Health and Health Services Block Grant.

Requires that a maximum of \$5,522 (0.37%) of the funds appropriated in Section 3.1 of this Act be used for audit costs.

Requires that a maximum of \$94,670 (6.28%) be expended by the DPH for administrative costs, in addition to the amount being used for audit costs.

Requires that funds specifically designated by the federal government for the Rape Prevention Program be spent on that Program [\$39,447 (2.79%)].

Requires \$96,059 (7.0%) of the remaining funds appropriated in Section 3.1 of this Act be transferred to the Maternal and Child Health Services Block Grant.

5 13 this Act.

5 14 5. After deducting the funds allocated and transferred in
 5 15 subsections 1, 2, 3, and 4, the remaining funds appropriated
 5 16 in subsection 1 shall be used by the department for risk
 5 17 reduction services, including nutrition programs, health
 5 18 incentive programs, chronic disease services, emergency
 5 19 medical services, monitoring of the fluoridation program and
 5 20 start-up fluoridation grants, and acquired immune deficiency
 5 21 syndrome. The moneys used by the department concerning
 5 22 acquired immune deficiency syndrome shall not be used for the
 5 23 funding of indirect costs. Of the funds used by the
 5 24 department under this subsection, an amount not exceeding
 5 25 \$90,000 shall be used for the monitoring of the fluoridation
 5 26 program and for start-up fluoridation grants to public water
 5 27 systems, and at least \$50,000 shall be used to provide
 5 28 chlamydia testing.

Requires that \$1,276.2 18 (84.41%) of the remaining funds appropriated in Section 3.1 of this Act be used by the DPH for risk reduction services, including nutrition programs, health incentive programs, chronic disease services, emergency medical services, monitoring the Fluoridation Program, and Acquired Immune Deficiency Syndrome (AIDS). Requires that funds used by the DPH for AIDS not be used for funding indirect costs, and spending for the monitoring of the Fluoridation Program not exceed \$90,000. Requires that a minimum of \$50,000 be expended on chlamydia testing.

..

5 29 Sec. 4. DRUG CONTROL AND SYSTEM IMPROVEMENT GRANT PROGRAM
 5 30 APPROPRIATION.

5 31 1. There is appropriated from the fund created in section
 5 32 8.41 to the office of the governor for the drug enforcement
 5 33 and abuse prevention coordinator for the federal fiscal year
 5 34 beginning October 1, 1992, and ending September 30, 1993, the
 5 35 following amount:

6 1 \$ 4,750,446

6 2 Funds appropriated by this subsection are the anticipated
 6 3 funds to be received from the federal government for the
 6 4 designated fiscal year under Pub. L. No. 100-690 which
 6 5 provides for the drug control and system improvement grant
 6 6 program. The drug enforcement and abuse coordinator shall
 6 7 expend the funds appropriated by this subsection as provided
 6 8 in the federal law making the funds available and in
 6 9 conformance with chapter 17A.

FFY 1993 Block Grant appropriation to the Governor's Drug Enforcement and Abuse Prevention Coordinator for the Drug Control and System Improvement Grant Program.

6 10 2. An amount not exceeding 5 percent of the funds

Requires a maximum of \$237,522 (5.0%) of the funds

6 11 appropriated in subsection 1 shall be used by the drug
 6 12 enforcement and abuse prevention coordinator for
 6 13 administrative expenses. From the funds set aside by this
 6 14 subsection for administrative expenses, the drug enforcement
 6 15 and abuse prevention coordinator shall pay to the auditor of
 6 16 state art amount sufficient to pay the cost of auditing the use
 6 17 and administration of the state's portion of the funds
 6 18 appropriated in subsection 1.

appropriated in Section 4.1 of this Act be used for
 administrative and audit costs.

6 19 Sec. 5. COMMUNITY SERVICES APPROPRIATIONS.

6 20 1. a. There is appropriated from the fund created by
 6 21 section 8.41 to the division of community action agencies of
 6 22 the department of human rights for the federal fiscal year
 6 23 beginning October 1, 1992, and ending September 30, 1993, the
 6 24 following amount:

FFY 1993 Block Grant appropriation to the Department
 of Human Rights (DHR) for the Community Services
 Block Grant.

6 25 \$ 3,946,078

6 26 Funds appropriated by this subsection are the funds
 6 27 anticipated to be received from the federal government for the
 6 28 designated federal fiscal year under Pub. L No. 97-35, Title
 6 29 VI, Subtitle B, which provides for the community services
 6 30 block grant. The division of community action agencies of the
 6 31 department of human rights shall expend the funds appropriated
 6 32 by this subsection as provided in the federal law making the
 6 33 funds available and in conformance with chapter 17A.

6 34 b. The administrator of the division of community action
 6 35 agencies of the department of human rights shall allocate not
 7 1 less than 96 percent of the amount of the block grant to
 7 2 programs benefiting low-income persons based upon the size of
 7 3 the poverty-level population in the area represented by the
 7 4 community action areas compared to the size of the poverty-
 7 5 level population in the state.

Requires that a minimum of \$3,788,235 (96.0%) of the
 funds appropriated in Section 5.1(a) of this Act be
 distributed to Community Action Agencies (CAA)
 programs for low-income persons based upon the size
 of the poverty-level population in the State.

7 6 2. An amount not exceeding 4 percent of the funds
 7 7 appropriated in subsection 1 shall be used by the division of
 7 8 community action agencies of the department of human rights

Requires that a maximum of \$157,843 (4.0%) of the
 funds appropriated in Section 5.1(a) of this Act be
 used by the CAA Division of the DHR for

7 9 for administrative expenses. From the funds set aside by this
 7 10 subsection for administrative expenses, the division of
 7 11 community action agencies of the department of human rights
 7 12 shall pay to the auditor of state an amount sufficient to pay
 7 13 the cost of auditing the use and administration of the state's
 7 14 portion of the funds appropriated in subsection 1. The
 7 15 auditor of state shall bill the division of community action
 7 16 agencies for the costs of the audits.

administrative and audit costs.

7 17 Sec. 6. COMMUNITY DEVELOPMENT APPROPRIATIONS.

7 18 1. There is appropriated from the fund created by section
 7 19 8.41 to the department of economic development for the federal
 7 20 fiscal year beginning October 1, 1992, and ending September
 7 21 30, 1993, the following amount:

7 22 \$ 25,100,000

7 23 Funds appropriated by this subsection are the funds
 7 24 anticipated to be received from the federal government for the
 7 25 designated federal fiscal year under Pub. L. No. 97-35, Title
 7 26 III, Subtitle A, which provides for the community development
 7 27 block grant. The department of economic development shall
 7 28 expend the funds appropriated by this subsection as provided
 7 29 in the federal law making the funds available and in
 7 30 conformance with chapter 17A.

FFY 1993 Block Grant appropriation to the Department
 of Economic Development (DED) for the Community
 Development Block Grant (CDBG).

7 31 2. An amount not exceeding \$1,204,000 for the federal
 7 32 fiscal year beginning October 1, 1992, shall be used by the
 7 33 department of economic development for administrative expenses
 7 34 for the community development block grant. The total amount
 7 35 used for administrative expenses includes \$602,000 for the
 8 1 federal fiscal year beginning October 1, 1992, of funds
 8 2 appropriated in subsection 1 and a matching contribution from
 8 3 the state equal to \$602,000 from the appropriation of state
 8 4 funds for the community development block grant and state
 8 5 appropriations for related activities of the department of
 8 6 economic development. From the funds set aside for
 8 7 administrative expenses by this subsection, the department of

Requires that a maximum of \$1,204,000 (4.8%) be used
 by the DED for administration and audits of the CDBG.
 The amount used for administration includes \$602,000
 of the funds appropriated in Section 6.1 of this Act
 and a matching contribution from the State of
 \$602,000.

NOTE: The matching contribution is appropriated in
 HF 2462 (Economic Development Appropriations Bill).

8 8 economic development shall pay to the auditor of state an
 8 9 amount sufficient to pay the cost of auditing the use and
 8 10 administration of the state's portion of the funds
 8 11 appropriated in subsection 1. The auditor of state shall bill
 8 12 the department for the costs of the audit.

8 13 Sec. 7. EDUCATION APPROPRIATIONS.

8 14 1. There is appropriated from the fund created by section
 8 15 8.41 to the department of education for the state fiscal year
 8 16 beginning July 1, 1992, and ending June 30, 1993, the fol-
 8 17 lowing amount:

8 18 \$ 4,967,755

8 19 Funds appropriated in this subsection are the funds
 8 20 anticipated to be received from the federal government under
 8 21 Pub. L. No. 100-297, Hawkins-Stafford Act, chapter 2. The
 8 22 department shall expend the funds appropriated by this
 8 23 subsection as provided in the federal law making the funds
 8 24 available and in conformance with chapter 17A.

8 25 2. Twenty percent of the funds appropriated in subsection
 8 26 1, not to exceed \$993,550, shall be used by the department for
 8 27 targeted assistance to meet the educational needs of students
 8 28 at risk, programs for the acquisition of instructional and
 8 29 educational materials, for innovative programs to carry out
 8 30 schoolwide improvements, for programs of training and
 8 31 professional development, for programs to enhance personal ex-
 8 32 cellence of students, for programs of training to enhance the
 8 33 ability of teachers and school counselors to identify,
 8 34 particularly in the early grades, students with reading and
 8 35 reading-related problems which place those students at risk
 9 1 for illiteracy in their adult years, and for other innovative
 9 2 projects. However, not more than 25 percent of the amount
 9 3 available for state programs shall be used by the department
 9 4 for state administrative expenses.

9 5 3. Eighty percent of the funds appropriated in subsection

FFY 1993 Block Grant appropriation to the Department of Education (DE) for the Education Block Grant.

Requires that a maximum of \$993,550 (20.0%) of the funds appropriated in Section 7.1 of this Act be used by the DE for educational assistance to students at risk, acquisition of materials, professional development, student excellence, and other projects. Requires that a maximum of \$248,388 (25.0%) of the funds appropriated in Section 7.2 of this Act be used for administrative costs.

Requires that \$3,974,205 (80.0%) of the funds

9 6 1 shall be allocated by the department to local educational
 9 7 agencies in this state, as local educational agency is defined
 9 8 in Pub. L No. 100-297. The amount allocated under this
 9 9 subsection shall be allocated to local educational agencies
 9 10 according to the following percentages and enrollments:
 9 11 a. Eighty percent shall be allocated on the basis of
 9 12 enrollments in public and approved nonpublic schools.
 9 13 b. Twenty percent shall be allocated to those local edu-
 9 14 cational agencies enrolling the greatest percent of dis-
 9 15 advantaged children.

appropriated in Section 7.1 of this Act be allocated
 to the local educational agencies as follows:

1. \$3,179,364 (80.0% of the \$3,974,205) based upon enrollments in public and approved nonpublic schools.
2. \$794,841 (20.0% of the \$3,974,205) based upon enrollments of disadvantaged children.

9 16 4. Funds appropriated in this section shall not be used to
 9 17 aid schools or programs that illegally discriminate in
 9 18 employment or educational programs on the basis of sex, race,
 9 19 color, national origin, or disability.

Prohibits Education Block Grant funds from being used
 to aid schools or programs that illegally
 discriminate in employment or educational programs on
 the basis of sex, race, color, national origin, or
 disability.

9 20 Sec. 8. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

9 21 1. There is appropriated from the fund created by section
 9 22 8.41 to the division of community action agencies of the
 9 23 department of human rights for the federal fiscal year
 9 24 beginning October 1, 1992, and ending September 30, 1993, the
 9 25 following amount:

FFY 1993 Block Grant appropriation to the DHR for the
 Low-Income Home Energy Assistance Program (LIHEAP).

9 26 \$ 27,446,162

9 27 The funds appropriated by this subsection are the funds
 9 28 anticipated to be received from the federal government for the
 9 29 designated federal fiscal year under Pub. L No. 97-35, Title
 9 30 XXVI, as amended by Pub. L No. 98-558, which provides for the
 9 31 low-income home energy assistance block grants. The division
 9 32 of community action agencies of the department of human rights
 9 33 shall expend the funds appropriated by this subsection as
 9 34 provided in the federal law making the funds available and in
 9 35 conformance with chapter 17A.

10 1 2. An amount not exceeding \$2,744,615, or 10 percent of
 10 2 the funds appropriated in subsection 1, whichever is less, may

Requires that a maximum of \$2,744,615 or 10.0% of the
 funds appropriated in Section 8.1 of this Act,

10 3 be used for administrative expenses for the low-income home
 10 4 energy assistance program. Not more than \$290,000 shall be
 10 5 used for administrative expenses of the division of community
 10 6 action agencies of the department of human rights. Not more
 10 7 than \$274,462 shall be used for administrative expenses for
 10 8 the affordable heating program. From the total funds set
 10 9 aside by this subsection for administrative expenses for the
 10 10 low-income home energy assistance program, an amount
 10 11 sufficient to pay the cost of an audit of the use and
 10 12 administration of the state's portion of the funds
 10 13 appropriated is allocated for that purpose. The auditor of
 10 14 state shall bill the division of community action agencies for
 10 15 the costs of the audits.

whichever is less, be used for administration of
 LIHEAP. Requires that a maximum of \$290,000 be used
 for administrative costs of the CAA Division of the
 DHR, and that a maximum of \$274,462 be used for
 administration of the Affordable Heating Program.
 Requires, that of the funds allocated for
 administrative expenses, a sufficient amount be used
 for audit costs.

10 16 3. The remaining funds appropriated in subsection 1 shall
 10 17 be allocated to help eligible households, as defined in ac-
 10 18 cordance with the federal Omnibus Budget Reconciliation Act of
 10 19 1981, Pub. L. No. 97-35, as amended by Pub. L. No. 98-558, to
 10 20 meet the costs of home energy. After reserving a reasonable
 10 21 portion of the remaining funds not to exceed 10 percent of the
 10 22 funds appropriated in subsection 1, to carry forward into the
 10 23 federal fiscal year beginning October 1, 1993, at least 15
 10 24 percent of the funds appropriated by subsection 1 shall be
 10 25 used for low-income residential weatherization or other
 10 26 related home repairs for low-income households. Of this
 10 27 amount, an amount not exceeding 10 percent may be used for
 10 28 administrative expenses.

Requires that the remaining funds **[\$15,084,623
 (55.0%)]** be allocated to help eligible households to
 meet the costs of home energy. Also, requires that a
 reasonable portion of these funds, not to exceed
\$2,744,616 be carried forward into FFY 1994, and
 that at least **15.0% (\$4,116,924)** of the initial funds
 appropriated in Section 8.1 of this Act be used for
 residential weatherization or other related home
 repairs for low-income households. Requires, that of
 the 15.0% allocated, a maximum of **10.0% (\$411,692)**
 may be used for administrative costs.

10 29 4. An eligible household must be willing to allow
 10 30 residential weatherization or other related home repairs in
 10 31 order to receive home energy assistance. If the eligible
 10 32 household resides in rental property, the unwillingness of the
 10 33 landlord to allow residential weatherization or other related
 10 34 home repairs shall not prevent the household from receiving
 10 35 home energy assistance.

Requires that an eligible household allow residential:
 weatherization or other related home repairs in order
 to receive home energy assistance. If the eligible
 household resides in rental property, the
 unwillingness of the landlord to allow weatherization
 or other repairs shall not prevent the household from
 receiving home energy assistance.

11 1 5. Of the funds appropriated under subsection 1,

Requires **\$4,500,000 (16.4%)** of the funds appropriated

PG LN **Senate File 2366** **Explanation**

11 2 \$4,500,000 shall be used to fund the affordable heating
11 3 program.

in Section 8.1 of this Act be used to fund the
Affordable Heating Program.

11 4 6. Not more than \$1,000,000 of the funds appropriated
11 5 under subsection 1 shall be used for assessment and resolution
11 6 of energy problems.

Requires that a maximum of \$1,000,000 (3.64%) of the
funds appropriated in Section 8.1 of this Act be used
for assessment and resolution of energy problems.

11 7 **Sec. 9. SOCIAL SERVICES APPROPRIATIONS.**

11 8 1. There is appropriated from the fund created by section
11 9 8.41 to the department of human services for the federal
11 10 fiscal year beginning October 1, 1992, and ending September
11 11 30, 1993, the following amount:

11 12 \$ 31,089,115

11 13 Funds appropriated by this subsection are the funds
11 14 anticipated to be received from the federal government for the
11 15 designated federal fiscal year under Pub. L. No. 97-35, Title
11 16 XXIII, Subtitle C, as codified in 42 U.S.C. sections 1397-
11 17 1397f, which provides for the social services block grant.
11 18 The department of human services shall expend the funds
11 19 appropriated by this subsection as provided in the federal law
11 20 making the funds available and in conformance with chapter
11 21 17A.

FFY 1993 Block Grant appropriation to the Department
of Human Services (DHS) for the Social Services Block
Grant (SSBG).

11 22 2. Not more than \$1,793,842 of the funds appropriated in
11 23 subsection 1 shall be used by the department of human services
11 24 for general administration. From the funds set aside by this
11 25 subsection for general administration, the department of human
11 26 services shall pay to the auditor of state an amount
11 27 sufficient to pay the cost of auditing the use and
11 28 administration of the state's portion of the funds
11 29 appropriated in subsection 1.

Requires that a maximum of \$1,793,842 (5.77%) of the
funds appropriated in Section 9.1 of this Act be used
by the DHS for administration and audit costs.

11 30 3. In addition to the allocation for general
11 31 administration in subsection 2, the remaining funds
11 32 appropriated in subsection 1 shall be allocated in the
11 33 following amounts to supplement appropriations for the federal

Requires that the remaining funds in Section 9.1 of
this Act be allocated to the listed programs.

11 34 fiscal year beginning October 1, 1992, for the following
 11 35 programs within the department of human services:

12 1 a. Field operations:
 12 2 \$ 12,280,200

Requires an allocation for field operations.

12 3 b. Home-based services:
 12 4 \$ 143,010

Requires an allocation for home-based services.

12 5 c. Foster care:
 12 6 \$ 4,257,392

Requires an allocation for foster care.

NOTE: Senate File 2355 (Human Services Appropriations Bill) amends this subsection to allocate \$14,262,340 to foster care.

12 7 d. Child care assistance:
 12 8 \$ 1,327,505

Requires an allocation for child care assistance.

12 9 e. Local administrative costs
 12 10 and other local services:
 12 11 \$ 11,142,810

Requires an allocation for local administrative costs and other local services.

NOTE: Senate File 2355 amends this subsection to allocate \$1,137,862 to local administrative costs and other local services.

12 12 f. Volunteers:
 12 13 \$ 124,356

Requires an allocation for volunteers.

12 14 **Sec. 10. SOCIAL SERVICES BLOCK GRANT PLAN.** The department
 12 15 of human services during each state fiscal year shall develop
 12 16 a plan for the use of federal social services block grant
 12 17 funds for the subsequent state fiscal year.
 12 18 The proposed plan shall include all programs and services
 12 19 at the state level which the department proposes to fund with
 12 20 federal social services block grant funds, and shall identify,
 12 21 state and other funds which the department proposes to use to
 12 22 fund the state programs and services.

Requires the **DHS** to develop a plan for the use of Federal SSBG funds for the subsequent State fiscal year and present the plan to the Governor and the General Assembly.

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12 23 The proposed plan shall also include all local programs and
 12 24 services which are eligible to be funded with federal social
 12 25 services block grant funds, the total amount of federal social
 12 26 services block grant funds available for the local programs
 12 27 and services, and the manner of distribution of the federal
 12 28 social services block grant funds to the counties. The
 12 29 proposed plan shall identify state and local funds which will
 12 30 be used to fund the local programs and services.
 12 31 The proposed plan shall be submitted with the department's
 12 32 budget requests to the governor and the general assembly.

12 33 Sec. 11. PROJECTS FOR ASSISTANCE IN TRANSITION FROM
 12 34 HOMELESSNESS. Upon receipt of the minimum formula grant from
 12 35 the federal alcohol, drug abuse, and mental health
 13 1 administration to provide mental health services for the
 13 2 homeless, the division of mental health, mental retardation,
 13 3 and developmental disabilities of the department of human
 13 4 services shall assure that a project which receives funds
 13 5 under the formula grant from either the federal or local match
 13 6 share of 25 percent in order to provide outreach services to
 13 7 persons who are chronically mentally ill and homeless or who
 13 8 are subject to a significant probability of becoming homeless
 13 9 shall do all of the following:
 13 10 1. Provide community mental health services, diagnostic
 13 11 services, crisis intervention services, and habilitation and
 13 12 rehabilitation services.
 13 13 2. Refer clients to medical facilities for necessary
 13 14 hospital services, and to entities that provide primary health
 13 15 services and substance abuse services.
 13 16 3. Provide appropriate training to persons who provide
 13 17 services to persons targeted by the grant.
 13 18 4. Provide case management to homeless persons.
 13 19 5. Provide supportive and supervisory services to certain
 13 20 homeless persons living in residential settings which are not
 13 21 otherwise supported.
 13 22 6. Projects may expend funds for housing services
 13 23 including minor renovation, expansion and repair of housing,

Requires the DHS to administer the Projects for Assistance in Transition from Homelessness Block Grant and outlines the requirements for Projects receiving funds from this Block Grant.

13 24 security deposits, planning of housing, technical assistance
 13 25 in applying for housing, improving the coordination of housing
 13 26 services, the costs associated with matching eligible homeless
 13 27 individuals with appropriate housing, and one-time rental
 13 28 payments to prevent eviction.

13 29 **Sec. 12. JOBS CHILD CARE ENTITLEMENT BLOCK GRANT.** There
 13 30 is appropriated from the fund created by section 8.41 to the
 13 31 department of human services for the federal fiscal year
 13 32 beginning October 1, 1992, and ending September 30, 1993, the
 13 33 following amount:

13 34 \$ 3,226,408

13 35 Funds appropriated by this section are the funds
 14 1 anticipated to be received from the federal government under
 14 2 Pub. L No. 101-508, section 5081, which provides for the jobs
 14 3 child care entitlement block grant. The department shall
 14 4 expend the funds appropriated by this section as provided in
 14 5 the federal law making the funds available and in conformance
 14 6 with chapter 17A.

FFY 1993 Block Grant appropriation to the DHS for the
 Jobs Child Care Entitlement Block Grant.

14 7 **Sec. 13. CHILD CARE AND DEVELOPMENT BLOCK GRANT.** There is
 14 8 appropriated from the fund. created by section 8.41 to the
 14 9 department of human services for the federal fiscal year
 14 10 beginning October 1, 1992, and ending September 30, 1993, the
 14 11 following amount:

14 12 \$ 7,191,272

14 13 Funds appropriated by this subsection are the funds
 14 14 anticipated to be received from the federal government under
 14 15 Pub. L No. 101-508, section 5082, which provides for the
 14 16 child care and development block grant. The department shall
 14 17 expend the funds appropriated by this section as provided in
 14 18 the federal law making the funds available and in conformance
 14 19 with chapter 17A.

FFY 1993 Block Grant appropriation to the DHS for the
 Child Care and Development Block Grant.

14 20 **Sec. 14. PROCEDURE FOR REDUCED FEDERAL FUNDS..**
 14 21 1. If the funds received from the federal government for
 14 22 the block grants specified in this Act are less than the

Requires the Governor to prorate the funds received
 to the various programs on the same percentage basis
 as specified in this Act, other than for the Rape

14 23 amounts appropriated, the funds actually received shall be
 14 24 prorated by the governor for the various programs, other than
 14 25 for the rape prevention program under section 3, subsection 3
 14 26 of this Act, for which each block grant is available according
 14 27 to the percentages that each program is to receive as
 14 28 specified in this Act. However, if the governor determines
 14 29 that the funds allocated by the percentages will not be
 14 30 sufficient to effect the purposes of a particular program, or
 14 31 if the appropriation is not allocated by percentage, the
 14 32 governor may allocate the funds in a manner which will effect
 14 33 to the greatest extent possible the purposes of the various
 14 34 programs for which the block grants are available.

14 35 2 Before the governor implements the actions provided for
 15 1 in subsection 1, the following procedures shall be taken:

15 2 a The chairpersons and ranking members of the senate and
 15 3 house standing committees on appropriations, the appropriate
 15 4 chairpersons and ranking members of subcommittees of those
 15 5 committees, and the director of the legislative fiscal bureau
 15 6 shall be notified of the proposed action.

15 7 b. The notice shall include the proposed allocations, and
 15 8 information on the reasons why particular percentages or
 15 9 amounts of funds are allocated to the individual programs, the
 15 10 departments and programs affected, and other information
 15 11 deemed useful. Chairpersons notified shall be allowed at
 15 12 least two weeks to review and comment on the proposed action
 15 13 before the action is taken.

15 14 Sec. 15. PROCEDURE FOR INCREASED FEDERAL FUNDS.

15 15 1. If funds received from the federal government in the
 15 16 form of block grants exceed the amounts appropriated in
 15 17 sections 1, 2, 3, 4, 6, 7, 9, 10, 11, 12, and 13 of this Act,
 15 18 the excess shall be prorated to the appropriate programs
 15 19 according to the percentages specified in those sections,

Prevention Program under Section 3.3, if funding from the federal Block Grants is less than the amounts appropriated. However, if the Governor determines that the funds allocated will not be sufficient, the Governor may allocate the funds in a manner which will effect, to the greatest extent possible, the purposes of the various programs for which the Block Grants are available.

Requires that before the Governor makes any modifications the following procedures be adhered to:

1. The chairs and the ranking members of the Senate and House Appropriations Committees, the Director of the Legislative Fiscal Bureau (LFB), and the chairs and ranking members of the Appropriations Subcommittees shall be notified of the proposed action.
2. The notice must include the proposed allocations and justification of the percentages or amounts allocated to the individual programs and departments and programs affected. Chairpersons notified shall be allowed at least 2 weeks to review and comment on the proposed action.

Requires that, if funds received from Block Grants exceed the anticipated amount, the excess be prorated to the appropriate programs according to the existing percentages. Additional funds shall not be prorated for administrative expenses.

15 20 except additional funds shall not be prorated for
 15 21 administrative expenses.

15 22 2. If funds received from the federal government from
 15 23 block grants exceed the amount appropriated in section 8 of
 15 24 this Act, at least 10 percent and not more than 15 percent of
 15 25 the excess shall be allocated to the low-income residential
 15 26 weatherization program.

Requires that, if funds received from the block grants exceed the amounts appropriated for LIHEAP (Section 8), at least 10.0% and not more than 15.0% of the excess be allocated to the Low-Income Weatherization Program.

15 27 3. If funds received from the federal government from
 15 28 community services block grants exceed the amount appropriated
 15 29 in section 5 of this Act, 100 percent of the excess is
 15 30 allocated to the community services block grant program.

Requires that all excess funds received from the Community Services Block Grant (Section 5) be allocated to the Community Services Block Grant Program.

15 31 **Sec. 16. PROCEDURE FOR CONSOLIDATED, CATEGORICAL, OR**
 15 32 **EXPANDED FEDERAL BLOCK GRANTS.** Notwithstanding section 8.41,
 15 33 federal funds made available to the state which are authorized
 15 34 for the federal fiscal year beginning October 1, 1992,
 15 35 resulting from the federal government consolidating former
 16 1 categorical grants into block grants, or which expand block
 16 2 grants included in Pub. L No. 97-35, to include additional
 16 3 programs formerly funded by categorical grants, which are not
 16 4 otherwise appropriated by the general assembly, are
 16 5 appropriated for the programs formerly receiving the
 16 6 categorical grants, subject to the conditions of this section.
 16 7 The governor shall, whenever possible, allocate from the block
 16 8 grant to each program in the same proportion as the amount of
 16 9 federal funds received by the program during the federal
 16 10 fiscal year beginning October 1, 1991, as modified by the 1992
 16 11 Session of the Seventy-fourth General Assembly for the state
 16 12 fiscal year beginning July 1, 1992, compared to the total
 16 13 federal funds received in the federal fiscal year beginning
 16 14 October 1, 1991, by all programs consolidated into the block
 16 15 grant. However, if one agency did not have categorical funds
 16 16 appropriated for the federal fiscal year beginning October 1,
 16 17 1991, but had anticipated applying for funds during the
 16 18 federal fiscal year beginning October 1, 1992, the governor

CODE: Requires that Federal funds formerly received as categorical grants and consolidated into block grants, or block grants expanded to include programs formerly funded by categorical grants, be appropriated for the programs formerly funded by the categorical grants subject to the conditions outlined in this section.

Requires the Governor to allocate block grant funds to programs in the same proportion as the amount of federal funds received by each program during FFY 1992.

16 19 may allocate the funds in order to provide funding.

16 20 If the amount received in the form of a consolidated or
 16 21 expanded block grant is less than the total amount of federal
 16 22 funds received for the programs in the form of categorical
 16 23 grants for the federal fiscal year beginning October 1, 1991,
 16 24 state funds appropriated to the program by the general
 16 25 assembly to match the federal funds shall be reduced by the
 16 26 same proportion of the reduction in federal funds for the
 16 27 program. State funds released by the reduction shall be
 16 28 deposited in a special fund in the state treasury and are
 16 29 available for appropriation by the general assembly. The
 16 30 governor shall notify the chairpersons and ranking members of
 16 31 the senate and house standing committees on appropriations,
 16 32 the appropriate chairpersons and ranking members of the
 16 33 subcommittees of those committees, and the legislative fiscal
 16 34 director before making the allocation of federal funds or any
 16 35 proportional reduction of state funds under this section. The
 17 1 notice shall state the amount of federal funds to be allocated
 17 2 to each program, the amount of federal funds received by the
 17 3 program during the federal fiscal year beginning October 1,
 17 4 1991, the amount by which state funds for the program will be
 17 5 reduced according to this section and the amount of state
 17 6 funds received by the program during the state fiscal year
 17 7 beginning July 1, 1991. Chairpersons notified shall be
 17 8 allowed at least two weeks to review and comment on the
 17 9 proposed action before the action is taken.

17 10 If the amount received in the form of a consolidated or
 17 11 expanded block grant is more than the total amount of federal
 17 12 funds received for the programs in the form of categorical
 17 13 grants for the federal fiscal year beginning October 1, 1991,
 17 14 the excess funds shall be deposited in the special fund
 17 15 created in section 8.41 and are subject to the provisions of
 17 16 that section.

17 17 Sec. 17. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

Requires, that if the consolidated or expanded block grant funds received are less than the total federal funds received for programs, as categorical grants, for FFY 1992, the State matching funds be reduced by the same proportion.

Requires that State funds released due to the reduction be deposited into a special fund, and the Governor provide the necessary notifications as specified.

Requires, that if the consolidated or expanded block grant funds received are more than the total federal funds received for programs, as categorical grants, for FFY 1992, then the excess funds shall be deposited into a special fund in accordance with the provisions of Section 8.41, Code of Iowa.

Appropriates federal and nonstate funds to the

17 18 Federal grants, receipts, and funds and other nonstate grants,
 17 19 receipts, and funds, available in whole or in part for the
 17 20 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 17 21 are appropriated to the department of agriculture and land
 17 22 stewardship for the purposes set forth in the grants,
 17 23 receipts, or conditions accompanying the receipt of the funds,
 17 24 unless otherwise provided by law.

Department of Agriculture and Land Stewardship for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

17 25 Sec. 18. DEPARTMENT OF JUSTICE. Federal grants, receipts,
 17 26 and funds and other nonstate grants, receipts, and funds,
 17 27 available in whole or in part for the fiscal year beginning
 17 28 July 1, 1992, and ending June 30, 1993, are appropriated to
 17 29 the department of justice for the purposes set forth in the
 17 30 grants, receipts, or conditions accompanying the receipt of
 17 31 the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Justice for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

17 32 Sec. 19. OFFICE OF AUDITOR OF STATE. Federal grants,
 17 33 receipts, and funds and other nonstate grants, receipts, and
 17 34 funds, available in whole or in part for the fiscal year
 17 35 beginning July 1, 1992, and ending June 30, 1993, are
 18 1 appropriated to the office of auditor of state for the
 18 2 purposes set forth in the grants, receipts, or conditions
 18 3 accompanying the receipt of the funds, unless otherwise
 18 4 provided by law.

Appropriates federal and nonstate funds to the Office of Auditor of State for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

18 5 Sec. 20. DEPARTMENT FOR THE BLIND. Federal grants,
 18 6 receipts, and funds and other nonstate grants, receipts, and
 18 7 funds, available in whole or in part for the fiscal year
 18 8 beginning July 1, 1992, and ending June 30, 1993, are
 18 9 appropriated to the department for the blind for the purposes
 18 10 set forth in the grants, receipts, or conditions accompanying
 18 11 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department for the Blind for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

18 12 Sec. 21. CAMPAIGN FINANCE DISCLOSURE COMMISSION. Federal
 18 13 grants, receipts, and funds and other nonstate grants,
 18 14 receipts, and funds, available in whole or in part for the
 18 15 fiscal year beginning July 1, 1992, and ending June 30, 1993,

Appropriates federal and nonstate funds to the Campaign Finance Disclosure Commission for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise

18 16 are appropriated to the campaign finance disclosure commission
 18 17 for the purposes set forth in the grants, receipts, or
 18 18 conditions accompanying the receipt of the funds, unless
 18 19 otherwise provided by law.

provided by law.

18 20 **Sec. 22. IOWA STATE CIVIL RIGHTS COMMISSION.** Federal
 18 21 grants, receipts, end funds and other nonstate grants,
 18 22 receipts, and funds, available in whole or in part for the
 18 23 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 18 24 are appropriated to the **Iowa** state civil rights commission for
 18 25 the purposes set forth in the grants, receipts, or conditions
 18 26 accompanying the receipt of the funds, unless otherwise
 18 27 provided by law.

Appropriates federal and nonstate funds to the Iowa Civil Rights Commission for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

18 28 **Sec. 23. COLLEGE STUDENT AID COMMISSION.** Federal grants,
 18 29 receipts, and funds and other nonstate grants, receipts, and
 18 30 funds, available in whole or in part for the fiscal year
 18 31 beginning July 1, 1992, and ending June 30, 1993, are
 18 32 appropriated to the college student aid commission for the
 18 33 purposes set forth in the grants, receipts, or conditions
 18 34 accompanying the receipt of the funds, unless otherwise
 18 35 provided by law.

Appropriates federal and nonstate funds to the College Student Aid Commission for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

19 1 **Sec. 24. DEPARTMENT OF COMMERCE.** Federal grants,
 19 2 receipts, and funds and other nonstate grants, receipts, and
 19 3 funds, available in whole or in part for the fiscal year
 19 4 beginning July 1, 1992, and ending June 30, 1993, are
 19 5 appropriated to the department of commerce for the purposes
 19 6 set forth in the grants, receipts, or conditions accompanying
 19 7 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Commerce for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

19 8 **Sec. 25. DEPARTMENT OF CORRECTIONS.** Federal grants,
 19 9 receipts, and funds and other nonstate grants, receipts, and
 19 10 funds, available in whole or in part for the fiscal year
 19 11 beginning July 1, 1992, and ending June 30, 1993, are
 19 12 appropriated to the department of corrections for the purposes
 19 13 set forth in the grants, receipts, or conditions accompanying

Appropriates federal and nonstate funds to the Department of Corrections for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

19 14 the receipt of the funds, unless otherwise provided by law.

19 15 Sec. 26. DEPARTMENT OF CULTURAL AFFAIRS. Federal grants,
19 16 receipts, and funds and other nonstate grants, receipts, and
19 17 funds, available in whole or in part for the fiscal year
19 18 beginning July 1, 1992, and ending June 30, 1993, are
19 19 appropriated to the department of cultural affairs for the
19 20 purposes set forth in the grants, receipts, or conditions
19 21 accompanying the receipt of the funds, unless otherwise
19 22 provided by law.

Appropriates federal and nonstate funds to the Department of Cultural Affairs for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

19 23 Sec. 27. DEPARTMENT OF ELDER AFFAIRS. Federal grants,
19 24 receipts, and funds and other nonstate grants, receipts, and
19 25 funds, available in whole or in part for the fiscal year
19 26 beginning July 1, 1992, and ending June 30, 1993, are
19 27 appropriated to the department of elder affairs for the
19 28 purposes set forth in the grants, receipts, or conditions
19 29 accompanying the receipt of the funds, unless otherwise
19 30 provided by law.

Appropriates federal and nonstate funds to the Department of Elder Affairs for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

19 31 Sec. 28. DEPARTMENT OF EMPLOYMENT SERVICES. Federal
19 32 grants, receipts, and funds and other nonstate grants,
19 33 receipts, and funds, available in whole or in part for the
19 34 fiscal year beginning July 1, 1992, and ending June 30, 1993,
19 35 are appropriated to the department of employment services for
20 1 the purposes set forth in the grants, receipts, or conditions
20 2 accompanying the receipt of the funds, unless otherwise
20 3 provided by law.

Appropriates federal and nonstate funds to the Department of Employment Services for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

20 4 Sec. 29. EXECUTIVE COUNCIL. Federal grants, receipts, and
20 5 funds and other nonstate grants, receipts, and funds,
20 6 available in whole or in part for the fiscal year beginning
20 7 July 1, 1992, and ending June 30, 1993, are appropriated to
20 8 the executive council for the purposes set forth in the
20 9 grants, receipts, or conditions accompanying the receipt of
20 10 the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Executive Council for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

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20 11 **Sec. 30.** DEPARTMENT OF GENERAL SERVICES. Federal grants,
 20 12 receipts, and funds and other nonstate grants, receipts, and
 20 43 funds, available in whole or in part for the fiscal year
 20 14 beginning July 1, 1992, and ending June 30, 1993, are
 20 15 appropriated to the department of general services for the
 20 16 purposes set forth in the grants, receipts, or conditions
 20 17 accompanying the receipt of the funds, unless otherwise
 20 18 provided by law.

Appropriates federal and nonstate funds to the Department of General Services for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

20 19 **Sec. 31.** OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR.
 20 20 Federal grants, receipts, and funds and other nonstate grants,
 20 21 receipts, and funds, available in whole or in part for the
 20 22 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 20 23 are appropriated to the office of the governor and lieutenant
 20 24 governor for the purposes set forth in the grants, receipts,
 20 25 or conditions accompanying the receipt of the funds, unless
 20 26 otherwise provided by law.

Appropriates federal and nonstate funds to the Office of the Governor and Lieutenant Governor for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

20 27 **Sec. 32.** DEPARTMENT OF HUMAN RIGHTS. Federal grants,
 20 28 receipts, and funds and other nonstate grants, receipts, and
 20 29 funds, available in whole or in part for the fiscal year
 20 30 beginning July 1, 1992, and ending June 30, 1993, are
 20 31 appropriated to the department of human rights for the
 20 32 purposes set forth in the grants, receipts, or conditions
 20 33 accompanying the receipt of the funds, unless otherwise
 20 34 provided by law..

Appropriates federal and nonstate funds to the DHR for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

20 35 **Sec. 33.** DEPARTMENT OF INSPECTIONS AND APPEALS. Federal
 21 1 grants, receipts, and funds and other nonstate grants,
 21 2 receipts, and funds, available in whole or in part for the
 21 3 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 21 4 are appropriated to the department of inspections and appeals
 21 5 for the purposes set forth in the grants, receipts, or
 21 6 conditions accompanying the receipt of the funds, unless
 21 7 otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Inspections and Appeals for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

21 8 **Sec. 34.** JUDICIAL DEPARTMENT. Federal grants, receipts,

Appropriates federal and nonstate funds to the

21 9 and funds and other nonstate grants, receipts, and funds,
 21 10 available in whole or in part for the fiscal year beginning
 21 11 July 1, 1992, and ending June 30, 1993, are appropriated to
 21 12 the judicial department for the purposes set forth in the
 21 13 grants, receipts, or conditions accompanying the receipt of
 21 14 the funds, unless otherwise provided by law.

Judicial Department for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

21 15 **Sec. 35. IOWA LAW ENFORCEMENT ACADEMY.** Federal grants,
 21 16 receipts, and funds and other nonstate grants, receipts, and
 21 17 funds, available in whole or in part for the fiscal year
 21 18 beginning July 1, 1992, and ending June 30, 1993, are
 21 19 appropriated to the Iowa law enforcement academy for the
 21 20 purposes set forth in the grants, receipts, or conditions
 21 21 accompanying the receipt of the funds, unless otherwise
 21 22 provided by law.

Appropriates federal and nonstate funds to the Iowa Law Enforcement Academy for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

21'23 **Sec. 36. DEPARTMENT OF MANAGEMENT.** Federal grants,
 21 24 receipts, and funds and other nonstate grants, receipts, and
 21 25 funds, available in whole or in part for the fiscal year
 21 26 beginning July 1, 1992, and ending June 30, 1993, are
 21 27 appropriated to the department of management for the purposes
 21 28 set forth in the grants, receipts, or conditions accompanying
 21 29 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Management (DOM) for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

21 30 **Sec. 37. DEPARTMENT OF NATURAL RESOURCES.** Federal grants,
 21 31 receipts, and funds and other nonstate grants, receipts, and
 21 32 funds, available in whole or in part for the fiscal year
 21 33 beginning July 1, 1992, and ending June 30, 1993, are
 21 34 appropriated to the department of natural resources for the
 21 35 purposes set forth in the grants, receipts, or conditions
 22 1 accompanying the receipt of the funds, unless otherwise
 22 2 provided by law.

Appropriates federal and nonstate funds to the Department of Natural Resources for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

22 3 **Sec. 38. BOARD OF PAROLE.** Federal grants, receipts, and
 22 4 funds and other nonstate grants, receipts, and funds,
 22 5 available in whole or in part for the fiscal year beginning
 22 6 July 1, 1992, and ending June 30, 1993, are appropriated to

Appropriates federal and nonstate funds to the Board of Parole for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

22 7 the board of parole for the purposes set forth in the grants,
 22 8 receipts, or conditions accompanying the receipt of the funds,
 22 9 unless otherwise provided by law.

22 10 Sec. 39. DEPARTMENT OF PERSONNEL. Federal grants,
 22 11 receipts, and funds and other nonstate grants, receipts, and
 22 12 funds, available in whole or in part for the fiscal year
 22 13 beginning July 1, 1992, and ending June 30, 1993, are
 22 14 appropriated to the department of personnel for the purposes
 22 15 set forth in the grants, receipts, or conditions accompanying
 22 16 the receipt of the funds, unless otherwise provided by law.

22 17 Sec. 40. DEPARTMENT OF PUBLIC DEFENSE. Federal grants,
 22 18 receipts, and funds and other nonstate grants, receipts, and
 22 19 funds, available in whole or in part for the fiscal year
 22 20 beginning July 1, 1992, and ending June 30, 1993, are
 22 21 appropriated to the department of public defense for the
 22 22 purposes set forth in the grants, receipts, or conditions
 22 23 accompanying the receipt of the funds, unless otherwise
 22 24 provided by law.

22 25 Sec. 41. PUBLIC EMPLOYMENT RELATIONS BOARD. Federal
 22 26 grants, receipts, and funds and other nonstate grants,
 22 27 receipts, and funds, available in whole or in part for the
 22 28 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 22 29 are appropriated to the public employment relations board for
 22 30 the purposes set forth in the grants, receipts, or conditions
 22 31 accompanying the receipt of the funds, unless otherwise
 22 32 provided by law.

22 33 Sec. 42. STATE BOARD OF REGENTS. Federal grants,
 22 34 receipts, and funds and other nonstate grants, receipts, and
 22 35 funds, available in whole or in part for the fiscal year
 23 1 beginning July 1, 1992, and ending June 30, 1993, are
 23 2 appropriated to the state board of regents for the purposes
 23 3 set forth in the grants, receipts, or conditions accompanying
 23 4 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Personnel for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Public Defense for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Public Employment Relations Board for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the State Board of Regents for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

23 5 **Sec. 43. DEPARTMENT OF REVENUE AND FINANCE.** Federal
 23 6 grants, receipts, and funds and other nonstate grants,
 23 7 receipts, and funds, available in whole or in part for the
 23 8 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 23 9 are appropriated to the department of revenue and finance for
 23 10 the purposes set forth in the grants, receipts, or conditions
 23 11 accompanying the receipt of the funds, unless otherwise
 23 12 provided by law.

Appropriates federal and nonstate funds to the Department of Revenue and Finance for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

23 13 **Sec. 44. OFFICE OF SECRETARY OF STATE.** Federal grants,
 23 14 receipts, and funds and other nonstate grants, receipts, and
 23 15 funds, available in whole or in part for the fiscal year
 23 16 beginning July 1, 1992, and ending June 30, 1993, are
 23 17 appropriated to the office of secretary of state for the
 23 18 purposes set forth in the grants, receipts, or conditions
 23 19 accompanying the receipt of the funds, unless otherwise
 23 20 provided by law.

Appropriates federal and nonstate funds to the Office of Secretary of State for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

23 21 **Sec. 45. IOWA STATE FAIR AUTHORITY:** Federal grants,
 23 22 receipts, and funds and other nonstate grants, receipts, and
 23 23 funds, available in whole or in part for the fiscal year
 23 24 beginning July 1, 1992, and ending June 30, 1993, are
 23 25 appropriated to the Iowa state fair authority for the purposes
 23 26 set forth in the grants, receipts, or conditions accompanying
 23 27 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Iowa State Fair Authority for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

23 28 **Sec. 46. OFFICE OF FEDERAL-STATE RELATIONS.** Federal
 23 29 grants, receipts, and funds and other nonstate grants,
 23 30 receipts, and funds, available in whole or in part for the
 23 31 fiscal year beginning July 1, 1992, and ending June 30, 1993,
 23 32 are appropriated to the office of federal-state relations for
 23 33 the purposes set forth in the grants, receipts, or conditions
 23 34 accompanying the receipt of the funds, unless otherwise
 23 35 provided by law.

Appropriates federal and nonstate funds to the Office of Federal-State Relations for the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law.

24 1 **Sec. 47. OFFICE OF TREASURER OF STATE.** Federal grants,

Appropriates federal and nonstate funds to the Office

24 2 receipts, and funds and other nonstate grants, receipts, and
 24 3 funds, available in whole or in part for the fiscal year
 24 4 beginning July 1, 1992, and ending June 30, 1993, are
 24 5 appropriated to the office of treasurer of state for the
 24 6 purposes set forth in the grants, receipts, or conditions
 24 7 accompanying the receipt of the funds, unless otherwise
 24 8 provided by law.

of Treasurer of State for the purposes set forth in
 the grants, receipts, or conditions accompanying the
 funds, unless otherwise provided by law.

24 9 Sec. 48. DEPARTMENT OF PUBLIC SAFETY. There is
 24 10 appropriated from federal grants, receipts, and funds and
 24 11 other nonstate grants, receipts, and funds, available in whole
 24 12 or in part for the fiscal year beginning July 1, 1992, and
 24 13 ending June 30, 1993, to the department of public safety, the
 24 14 following amounts, to be used as set forth in the grants,
 24 15 receipts, or conditions accompanying the receipt of the funds
 24 16 for the purposes designated:

Appropriates federal and nonstate funds to the
 Department of Public Safety (DPS). Specifies the
 amount that will be received by each budget unit,
 from each federal grant.. The Catalog of Federal
 Domestic Assistance (CFDA) grant number is specified.

24 17 1. For the asset sharing fund, grant number 16000:
 24 18 \$ 150,000

Appropriates funds from the federal Department of
 Justice.

24 19 2. For the fire marshal, grant number 14000:
 24 20 \$ 12,000

Appropriates funds from the Department of Housing and
 Urban Development.

24 21 3. For the highway patrol, grant number 11000:
 24 22 \$ 5,000

Appropriates funds from the federal Department of
 Commerce.

24 23 4. For the highway patrol, grant number 20600:
 24 24 \$ 484,946

Appropriates funds from the National Highway Traffic
 Safety Administration grants.

24 25 5. For highway safety, grant number 20600:
 24 26 \$,870,000

24 27 6. For marijuana control, grant. number 16580:
 24 28 \$ 40,000

Appropriates funds from the Marijuana Control Program
 funds.

24 29 If other federal grants, receipts, and funds and other
 24 30 nonstate grants, receipts, and funds become available or are
 24 31 awarded which are not available or awarded during the period

Permits the DPS to receive other federal grants,
 receipts, and funds provided that the Legislative
 Council is notified and given an opportunity to

24 32 In which the general assembly is in session, but which require
 24 33 expenditure by the department of public safety prior to March
 24 34 15 of the fiscal year beginning July 1, 1992, and ending June
 24 35 30, 1993, these grants, receipts, and funds are appropriated
 25 1 to the extent necessary, provided that the fiscal committee of
 25 2 the legislative council is notified within thirty days of
 25 3 receipt of the grants, receipts, or funds and the fiscal
 25 4 committee of the legislative council has an opportunity to
 25 5 comment on the expenditure of the grants, receipts, or funds.

comment on the expenditure of the funds.

25 6 Sec. 49. IOWA DEPARTMENT OF PUBLIC HEALTH. There is
 25 7 appropriated from federal grants, receipts, and funds and
 25 8 other nonstate grants, receipts, and funds, available in whole
 25 9 or in part for the fiscal year beginning July 1, 1992, and
 25 10 ending June 30, 1993, to the Iowa department of public health,
 25 11 the following amounts, to be used as set forth in the grants,
 25 12 receipts, or conditions accompanying the receipt of the funds
 25 13 for the purposes designated:

Appropriates federal and nonstate funds to the DPH. Specifies the amount that will be received by each budget unit, from each federal grant. The CFDA grant number is specified.

25 14 1. For administration and support, grant number 10557:
 25 15 \$ 192,000

Appropriates funds from the Special Supplemental Food Program for Women, Infants, and Children grants.

25 16 2. For administration and support, grant number 13136:
 25 17 \$ 32,500

Appropriates funds from the Research and Demonstration Projects grants.

25 18 3. For administration and support, grant number 13161:
 25 19 \$ 62,000

Appropriates funds from the Health Program for Toxic Substances and Disease Registry grants.

25 20 4. For administration and support, grant number 13217:
 25 21 \$ 17,000

Appropriates funds from the Family Planning Projects grants.

25 22 5. For administration and support, grant number 13226:
 25 23 \$ 243,183

Appropriates funds from the Health Services Research and Development - Grants and Contracts grants.

25 24 6. For administration and support, grant number 13283:
 25 25 \$ 78,500

Appropriates funds from the Centers for Disease Control - Investigations, Surveillance and Technical Assistance grants.

PG LN	Senate File 2366	Explanation
25 26 25 27	7. For administration and support, grant number 13310: \$ 15,000	Appropriates funds from the General Research grants.
25 28 25 29	8. For administration and support, grant number 13987: \$ 12,000	Appropriates funds from the Health Programs for Refugees.
25 30 25 31	9. For administration and support, grant number 13992: \$ 33,133	Appropriates funds from the Alcohol and Drug Abuse and Mental Health Services Block Grant.
25 32 25 33	10. For administration and support, grant number 13994: \$ 58,586	Appropriates funds from the Maternal and Child Health Services Block Grant.
25 34 25 35	11. For administration and support, grant number 66032: \$ 47,000	Appropriates funds from the State Indoor Radon grants.
26 1 26 2	12. For administration and support, grant number 66701: \$ 97,500	Appropriates funds from the Toxic Substance Compliance Monitoring Program grants.
26 3 26 4	13. For administration and support, grant number 87001: \$ 11,745	Appropriates funds from the Voluntary Standards Assistance grants.
26 5 26 6	14. For administration and support, grant number 93118: \$ 95,000	Appropriates funds from the AIDS Prevention Project grants.
26 7 26 8	15. For administration and support, grant number 93268: \$ 32,800	Appropriates funds from the Immunization Program grants.
26 9 26 10	16. For administration and support, grant number 93977: \$ 57,000	Appropriates funds from the Preventive Health Services Program grants.
26 11 26 12	17. For administration and support, grant number 93991: \$ 93,925	Appropriates funds from the Preventive Health Program grants.
26 13 26 14	18. For family and community health, grant number 10557: \$ 25,125,492	Appropriates funds from the Special Supplemental Food Program for Women, Infants, and Children grants.

26 15	19. For family and community health, grant number 13199:		Appropriates funds from the HIV Health Services
26 16	.....	\$ 75,000	Program grants.
26 17	20. For family and community health, grant number 13217:		Appropriates funds from the Family Planning Projects
26 18	.....	\$ 446,235	grants.
26 19	21. For family and community health, grant number 13283:		Appropriates funds from the Centers for Disease
26 20	.....	\$ 59,992	Control - Investigations, Surveillance and Technical
			Assistance grants.
26 21	22. For family and community health, grant number 13310:		Appropriates funds from the General Research grants.
26 22	.....	\$ 287,370	
26 23	23. For family and community health, grant number 13994:		Appropriates funds from the Maternal and Child Health
26 24	.....	\$ 6,086,152	Services Block Grant.
26 25	24. For family and community health, grant number 93991:		Appropriates funds from the Preventive Health Program
26 26	.....	\$ 544,874	grants.
26 27	25. For health policy and planning, grant number 13130:		Appropriates funds from the Primary Care Service
26 28	.....	\$ 106,475	Planning and Development Cooperative Agreements
			grants.
26 29	26. For health policy and planning, grant number 13994:		Appropriates funds from the Maternal and Child Health
26 30	.....	\$ 53,585	Services Block Grant.
26 31	27. For health protection, grant number 13103:		Appropriates funds from the Food Research grants.
26 32	.....	\$ 15,183	
26 33	28. For health protection, grant number 13136:		Appropriates funds from the Research and Prevention
26 34	.....	\$ 111,659	Projects grants.
26 35	29. For health protection, grant number 13146:		Appropriates funds from the AIDS Drug Reimbursements
27 1	.....	\$ 31,128	grants.
27 2	30. For health protection, grant number 13161:		Appropriates funds from the Health Program for Toxic
27 3	.....	\$ 25,000	Substances and Disease Prevention grants.

PG LN	Senate File 2366	Explanation
27 4	31. For health protection, grant number 13283:	Appropriates funds from the Centers for Disease Control - Investigations, Surveillance and Technical Assistance grants.
27 5	..... \$ 503,496	
27 6	32. For health protection, grant number 13991:	Appropriates funds from the Preventive Health and Health Services Block Grant.
27 7	..... \$ 50,000	
27 8	33. For health protection, grant number 66032:	Appropriates funds from the State Indoor Radon grants.
27 9	..... \$ 147,382	
27 10	34. For health protection, grant number 66701:	Appropriates funds from the Toxic Substance Compliance Monitoring Program grants.
27 11	..... \$ 159,024	
27 12	35. For health protection, grant number 66702:	Appropriates funds from the Asbestos Hazard Abatement School Assistance Program grants.
27 13	..... \$ 154,694	
27 14	36. For health protection, grant number 90001:	Appropriates funds from the Bicentennial Educational Grant Program grants.
27 15	..... \$ 211,034	
27 16	37. For health protection, grant number 93118:	Appropriates funds from the AIDS Prevention Project grants.
27 17	..... \$ 917,610	
27 18	38. For health protection, grant number 93268:	Appropriates funds from the Immunization Program grants.
27 19	..... \$ 189,478	
27 20	39. For health protection, grant number 93917:	Appropriates funds from the HIV Cares grants.
27 21	..... \$ 110,588	
27 22	40. For health protection, grant number 93977:	Appropriates funds from the Preventive Health Services Program grants.
27 23	..... \$ 311,447	
27 24	41. For health protection, grant number 93991:	Appropriates funds from the Preventive Health Block grants.
27 25	..... \$ 146,660	
27 26	42. For local health, grant number 13987:	Appropriates funds from the Health Programs for Refugees grants.
27 27	..... \$ 42,038	

<p>27 28 43. For local health, grant number 93913: 27 29 \$ 40,289</p> <p>27 30 44. For local health, grant number 93991: 27 31 \$ 245,145</p> <p>27 32 45. For substance abuse, grant number 13279: 27 33 \$ 75,683</p> <p>27 34 46. For substance abuse, grant number 13992: 27 35 \$ 248,058</p> <p>28 1 47. For substance abuse, grant number 84186: 28 2 \$ 27,539</p> <p>28 3 48. For substance abuse program grants, grant number 28 4 13175: 28 5 \$ 364,100</p> <p>28 6 49. For substance abuse program grants, grant number 28 7 13902: 28 8 \$ 223,002</p> <p>28 9 50. For substance abuse program grants, grant number 28 10 13992: 28 11 \$ 8,125,029</p> <p>28 12 51. For substance abuse program grants, grant number 28 13 84186: 28 14 \$ 440,625</p> <p>28 15 If other federal grants, receipts, and funds and other 28 16 nonstate grants, receipts, and funds become available or are 28 17 awarded which are not available or awarded during the period 28 18 in which the general assembly is in session, but which require 28 19 expenditure by the Iowa department of public health prior to</p>	<p>Appropriates funds from the Rural Health Program grants.</p> <p>Appropriates funds from the Preventive Health Block grants.</p> <p>Appropriates funds from the Drug Abuse Research Programs grants.</p> <p>Appropriates funds from the Alcohol and Drug Abuse and Mental Health Services Block grants.</p> <p>Appropriates funds from the Drug-Free Schools and Communities - State Grants.</p> <p>Appropriates funds from the Drug Abuse Waiting List Program grants.</p> <p>Appropriates funds from the Treatment Programs grants.</p> <p>Appropriates funds from the Alcohol and Drug Abuse and Mental Health Services Block grants.</p> <p>Appropriates funds from the Drug-Free Schools and Communities - State Grants.</p> <p>Permits the DPH to receive other federal grants, receipts, and funds provided that the Legislative Council is notified and given an opportunity to comment on the expenditure of the funds.</p>
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PG LN	Senate File 2366	Explanation
38 20 28 21 28 22 28 23 28 24 28 25 28 26 28 27	March 15 of the fiscal year beginning July 1, 1992, and ending June 30, 1993, these grants, receipts, and funds are appropriated to the extent necessary, provided that the fiscal committee of the legislative council is notified within thirty days of receipt of the grants, receipts, or funds and the fiscal committee of the legislative council has an opportunity to comment on the expenditure of the grants, receipts, or funds.	
28 28 28 29 28 30 28 31 28 32 28 33 28 34 28 35	Sec. 50. DEPARTMENT OF HUMAN SERVICES. There is appropriated from federal grants, receipts, and funds and other nonstate grants, receipts, and funds, available in whole or in part for the fiscal year beginning July 1, 1992, and ending June 30, 1993, to the department of human services, the following amounts, to be used as set forth in the grants, receipts, or conditions accompanying the receipt of the funds for the purposes designated:	Appropriates federal and nonstate funds to the DHS. Specifies the amount that will be received by each budget unit, from each federal grant. The CFDA grant number is specified. NOTE: Senate File 2355 (Human Services Appropriations Bill) amends Section 50.60 of this Act changing the title of grant number 13667 from block grant supplementation to foster care.
29 1 29 2	1. For aid to dependent children, grant number 93020: \$100.3 19,939	Appropriates funds from the Family Support Payments to States Program grants.
29 3 29 4 29 5	2. For the alcohol and drug abuse block grant, grant number 13992: \$ 2,745,199	Appropriates funds from the Alcohol and Drug Abuse Program grants.
29 6 29 7	3. For the child abuse project, grant number 13669: \$ 499,387	Appropriates funds from the Administration for Children, Youth and Families - Child Abuse and Neglect State grants.
29 8 29 9	4. For the child abuse project, grant number 13672: \$ 48,000	Appropriates funds from the Child Abuse Challenge grants.
29 10 29 11	5. For child and family services, grant number 13645: \$ 2,900,000	Appropriates funds from the Child Welfare Services grants.
29 12	6. For foster care, grant number 13658:	Appropriates funds from the Foster Care - Title IV-E

PG LN	Senate File 2366	Explanation
29 13	..... \$ 5,514,139	grants.
29 14	7. For home-based services, grant number 13659:	Appropriates funds from the Adoption Assistance
29 15	..... \$ 1,450,358	grants.
29 16	8. For foster care, grant number 13667:	Appropriates funds from the Social Services Block
29 17	..... \$ 4,684,324	grants.
29 18	9. For child care services, grant number 13667:	
29 19	..... \$ 1,418,406	
29 20	10. For child care services, grant number 93020:	Appropriates funds from the Family Support Payments
29 21	..... \$ 11,044,793	to States Program grants..
29 22	11. For child support enforcement research, grant number	Appropriates funds from the Child Support Enforcement
29 23	93024:	Research grants.
29 24	..... \$ 770.434	
29 25	12. For child support recoveries, grant number 93023:	Appropriates funds from the Child Support Enforcement
29 26	..... \$ 9,887,582	grants.
29 27	13. For the commodity supplemental food program, grant	Appropriates funds from the Commodity Supplemental
29 28	number 10565:	Food Program grants.
29 29	..... \$ 349,000	
29 30	14. For developmental disabilities, grant number 13630:	Appropriates funds from the Developmental
29 31	..... \$ 541,120	Disabilities - Basic Support grants.
29 32	15. For emergency assistance, grant number 93020:	Appropriates funds from the Medical Assistance
29 33	..... \$ 483,750	Program grants.
29 34	16. For enhanced MH/MR/DD services, grant number 13814:	Appropriates funds from the Special Assistance to
29 35	..... \$ 5,000	Refugees from Southeast Asia in the United States
		grants.
30 1	17. For enhanced MH/MR/DD services, grant number 93778:	
30 2	..... \$ 7,897,520	
30 3	18. For field operations, grant number 10551:	Appropriates funds from the Food Stamp Program

PG LN	Senate File 2366	Explanation
30 4	..... \$ 5,446,745	grants.
30 5	19. For field operations, grant number 13658:	Appropriates funds from the Foster Care - Title IV-E
30 6	..... \$ 2,908,051	grants.
30 7	20. For field operations, grant number 13667:	Appropriates funds from the Social Services Block
30 8	..... \$ 12,630,088	grants.
30 9	21. For field operations, grant number 93020:	Appropriates funds from the Family Support Payments
30 10	..... \$ 4,743,707	to States Program grants.
30 11	22. For field operations, grant number 93026:	Appropriates funds from the Refugee and Entrant
30 12	..... \$ 239,736	Assistance Program grants.
30 13	23. For field operations, grant number 93778:	Appropriates funds from the Medical Assistance
30 14	..... \$ 6,819,450	Program grants.
30 15	24. For general administration, grant number 10551:	Appropriates funds from the Food Stamp Program
30 16	..... \$ 3,245,357	grants.
30 17	25. For general administration, grant number 13630:	Appropriates funds from the Developmental
30 18	..... \$ 191,988	Disabilities - Basic Support grants.
30 19	26. For general administration, grant number 13645:	Appropriates funds from the Child Welfare Services
30 20	..... \$ 150,000	grants.
30 21	27. For general administration, grant number 13658:	Appropriates funds from the Foster Care - Title IV-E
30 22	..... \$ 596,405	grants.
30 23	28. For general administration, grant number 13667:	Appropriates funds from the Social Services Block
30 24	..... \$ 1,844,952	grants.
30 25	29. For general administration, grant number 13673:	Appropriates funds from the Grants to States for
30 26	..... \$ 40,586	Planning and Development of Dependent Care Programs.
30 27	30. For general administration, grant number 93020:	Appropriates funds from the Family Support Payments
30 28	..... \$ 2,002,523	to States Program grants.

<p>30 29 31. For general administration, grant number 93021: 30 30 \$ 374,977</p> <p>30 31 32. For general administration, grant number 93023: 30 32 \$ 1,313,656</p> <p>30 33 33. For general administration, grant number 93026: 30 34 \$ 173,808</p> <p>30 35 34. For general administration, grant number 93778: 31 1 \$ 4,059,619</p> <p>31 2 35. For Glenwood state hospital-school, grant number 31 3 72001: 31 4 \$ 220,572</p> <p>31 5 36. For Glenwood state hospital-school, grant number 31 6 72002: 31 7 \$ 11,522</p> <p>31 8 37. For Glenwood state hospital-school, grant number 31 9 72008: 31 10 \$ 653</p> <p>31 11 38. For independent living, grant number 13658: 31 12 \$ 386,264</p> <p>31 13 39. For the Iowa refugee service center, grant number 31 14 13814: 31 15 \$ 250,000</p> <p>31 16 40. For the Iowa refugee service center, grant number 31 17 93026: 31 18 \$ 2,846.155</p> <p>31 19 41. For local administrative costs, grant number 10551:</p>	<p>Appropriates funds from the Job Opportunities and Basic Skills Training Program grants.</p> <p>Appropriates funds from the Child Support Enforcement grants.</p> <p>Appropriates funds from the Refugee and Entrant Assistance Program grants.</p> <p>Appropriates funds from the Medical Assistance Program grants.</p> <p>Appropriates funds from the Foster Grandparents grants.</p> <p>Appropriates funds from the Retired Senior Volunteers grants.</p> <p>Appropriates funds from the Senior Companion Program grants.</p> <p>Appropriates funds from the Foster Care - Title IV-E grants.</p> <p>Appropriates funds from the Special Assistance to Refugees from Southeast Asia in the United States grants.</p> <p>Appropriates funds from the Refugee and Entrant Assistance Program grants.</p> <p>Appropriates funds from the Food Stamp Program</p>
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PG LN	Senate File 2366	Explanation
31 20	\$ 884,751	grants.
31 21 42. For local administrative costs, grant number 13658:		Appropriates funds from the Foster Care - Title IV-E
31 22	\$ 452,532	grants.
31 23 43. For local administrative costs, grant number 13667:		Appropriates funds from the Social Services Block
31 24	\$ 1,170,281	grants.
31 25 44. For local administrative costs, grant number 93020:		Appropriates funds from the Family Support Payments
31 26	\$ 732,402	to States Program grants.
31 27 45. For local administrative costs, grant number 93026:		Appropriates funds from the Refugee and Entrant
31 28	\$ 39,498	Assistance Program grants.
31 29 46. For local administrative costs, grant number 93778:		Appropriates funds from the Medical Assistance
31 30	\$ 1,290,576	Program grants.
31 31 47. For medical assistance, grant number 93026:		Appropriates funds from the Refugee and Entrant
31 32	\$ 18,000	Assistance Program grants.
31 33 48. For medical assistance, grant number 93778:		Appropriates funds from the Medical Assistance
31 34	\$567,360,917	Program grants.
31 35 49. For medical contracts, grant number 93778:		Appropriates funds from the Medical Assistance
32 1	\$ 8,763,046	Program grants.
32 2 50. For mental health training, grant number 13244:		Appropriates funds from the Mental Health Training
.....	\$ 211,755	grants.
32 4 51. For prevention services, grant number 13667:		Appropriates funds from the Social Services Block
32 5	\$ 147,084	grants.
32 6 52. For promise jobs, grant number 93020:		Appropriates funds from the Family Support Payments
32 7	\$ 1,533,017	to States Program grants.
32 8 53. For promise jobs, grant number 93021:		Appropriates funds from the Job Opportunities and
32 9	\$ 5,743,555	Basic Skills Training Program grants.

<p>32 10 54. For refugee resettlement, grant number 13787: 32 11 \$ 122,155</p> <p>32 12 55. For the sexually transmitted diseases control program, 32 13 grant number 93777: 32 14 \$ 3,134,900</p> <p>32 15 56. For temporary and emergency food assistance, grant 32 16 number 10550: 32 17 \$ 444,500</p> <p>32 18 57. For Title VIII medicare/medicaid, grant number 13773: 32 19 \$ 250,000</p> <p>32 20 58. For volunteers, grant number 13667: 32 21 \$ 127,900</p> <p>32 22 59. For X-PERT, grant number 93020: 32 23 \$ 401,898</p> <p>32 24 60. For block grant supplementation, grant number 13667: 32 25 \$ 10,004,948</p> <p>32 26 If other federal grants, receipts, and funds and other 32 27 nonstate grants, receipts, and funds become available or are 32 28 awarded which are not available or awarded during the period 32 29 in which the general assembly is in session, but which require 32 30 expenditure by the department of human services prior to March 32 31 15 of the fiscal year beginning July 1, 1992, and ending June 32 32 30, 1993, these grants, receipts, and funds are appropriated 32 33 to the extent necessary, provided that the fiscal committee of 32 34 the legislative council is notified within thirty days of 32 35 receipt of the grants, receipts, or funds and the fiscal 33 1 committee of the legislative council has an opportunity to 33 2 comment on the expenditure of the grants, receipts, or funds.</p>	<p>Appropriates funds from the Refugee and Entrant Assistance - State Administered Programs grants.</p> <p>Appropriates funds from the Standard Control Program grants.</p> <p>Appropriates funds from the Food Distribution Program grants.</p> <p>Appropriates funds from the Medicare - Hospital Insurance grants.</p> <p>Appropriates funds from the Social Services Block grants.</p> <p>Appropriates funds from the Family Support Payments to States Program grants.</p> <p>Appropriates funds from the Social Services Block grants.</p> <p>Permits the DHS to receive other federal grants, receipts, and funds provided that the Legislative Council is notified and given an opportunity to comment on the expenditure of the funds.</p>
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PG LN	Senate File 2366	Explanation
<p>33 3 Sec. 51. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is 33 4 appropriated from federal grants, receipts, and funds and 33 5 other nonstate grants, receipts, and funds, available in whole 33 6 or in part for the fiscal year beginning July 1, 1992, and 33 7 ending June 30, 1993, to the department of economic 33 8 development, the following amounts, to be used as set forth in 33 9 the grants, receipts, or conditions accompanying the receipt 33 10 of the funds for the purposes designated:</p>	<p>Appropriates federal and nonstate funds to the DED. Specifies the amount that will be received by each budget unit, from each federal grant. The CFDA grant number is specified.</p>	
<p>33 11 1. For the home investment partnership program, grant 33 12 number 14228: 33 13</p>	<p>\$ 8,000,000</p>	<p>Appropriates funds from the Job Training Partnership Act grants.</p>
<p>33 14 2. For the job training partnership Act, grant number 33 15 17250: 33 16</p>	<p>\$ 27,915,535</p>	<p>Appropriates funds from the Community Economic Adjustment Program grants.</p>
<p>33 17 3. For the procurement office, grant number 12600: 33 18</p>	<p>\$ 83,000</p>	<p>Appropriates funds from the Department of Labor.</p>
<p>33 19 4. For the state occupational information coordinating 33 20 council, grant number 17000: 33 21</p>	<p>\$ 350,000</p>	<p>Appropriates funds from the Community Development Block Grants/State's Program.</p>
<p>33 22 5. For the emergency shelter grants program, grant number 33 23 14228: 33 24</p>	<p>\$ 650,000</p>	<p>Appropriates funds from the Procurement Assistance to Small Businesses Program grants.</p>
<p>33 25 6. For the small business administration tree planting 33 26 program, grant number 59009: 33 27</p>	<p>\$ 161,700</p>	<p>Appropriates funds from the State and Local Economic Development Planning. Program grants.</p>
<p>33 28 7. For economic development administration section 302, 33 29 grant number 11305: 33 30</p>	<p>\$ 100,000</p>	<p>Permits the DED to receive other federal grants, receipts, and funds provided that the Legislative</p>
<p>33 31 If other federal grants, receipts, and funds and other 33 32 nonstate grants, receipts, and funds become available or are</p>		

33 33 awarded which are not available or awarded during the period
 33 34 in which the general assembly is in session, but which require
 33 35 expenditure by the department of economic development prior to
 34 1 March 15 of the fiscal year beginning July 1, 1992, and ending
 34 2 June 30, 1993, these grants, receipts, and funds are
 34 3 appropriated to the extent necessary, provided that the fiscal
 34 4 committee of the legislative council is notified within thirty
 34 5 days of receipt of the grants, receipts, or funds and the
 34 6 fiscal committee of the legislative council has an opportunity
 34 7 to comment on the expenditure of the grants, receipts, or
 34 8 funds.

Council is notified and given an opportunity to comment on the expenditure of the funds.

34 9 Sec. 52. STATE DEPARTMENT OF TRANSPORTATION. There is
 34 10 appropriated from federal grants, receipts, and funds and
 34 11 other nonstate grants, receipts, and funds, available in whole
 34 12 or in part for the fiscal year beginning July 1, 1992, and
 34 13 ending June 30, 1993, to the state department of
 34 14 transportation, the following amounts, to be used as set forth
 34 15 in the grants, receipts, or conditions accompanying the
 34 16 receipt of the funds for the purposes designated:

Appropriates federal and nonstate funds to the State Department of Transportation (DOT). Specifies the amount that will be received by each budget unit, from each federal grant. The CFDA grant number is specified.

34 17 1. For implementing the federal Intermodal Surface
 34 18 Transportation Efficiency Act of 1991 related to
 34 19 transportation planning and construction for state, cities,
 34 20 and counties, grant number 20205:
 34 21 \$190,000,000

Appropriates funds from the Highway Research, Planning and Construction grants.

34 22 2. For public transit assistance (section 8, technical
 34 23 assistance), grant number 20505:
 34 24 \$ 250,000

Appropriates funds from the Federal Transit Technical Studies grants.

34 25 3. For public transit assistance '(section 9, small urban
 34 26 under 200,000 population), grant number 20507:
 34 27 \$ 2,700,000

Appropriates funds from the Urban Mass Transportation grants.

34 28 4. For public transit assistance (section 18, rural
 34 29 transit), grant number 20509:

Appropriates funds from the Public Transportation for Nonurbanized Areas grants.

PG LN	Senate File 2366	Explanation
34 30	\$ 2,000,000	
34 31	5. For public transit assistance (section 16(b)2, elderly	Appropriates funds from the Capital Assistance
34 32	and handicapped), grant number 20513:	Program for Elderly Persons and Persons with
34 33	\$ 750,000	Disabilities grants.
34 34	6. For the motor carrier safety assistance program, grant	Appropriates funds from the Motor Carrier Safety
34 35	number 20218:	Assistance Program grants.
35 1	\$ 675,000	
35 2	If other federal grants, receipts, and funds and other	Permits the State DOT to receive other federal
35 3	nonstate grants, receipts, and funds become available or are	grants, receipts, and funds provided that the
35 4	awarded which are not available or awarded during the period	Legislative Council is notified and given an
35 5	in which the general assembly is in session, but which require	opportunity to comment on the expenditure of the
35 6	expenditure by the state department of transportation prior to	funds.
35 7	March 15 of the fiscal year beginning July 1, 1992, and ending	
35 8	June 30, 1993, these grants, receipts, and funds are	
35 9	appropriated to the extent necessary, provided that the fiscal	
35 10	committee of the legislative council is notified within thirty	
35 11	days of receipt of the grants, receipts, or funds and the	
35 12	fiscal committee of the legislative council has an opportunity	
35 13	to comment on the expenditure of the grants, receipts, or	
35 14	funds.	
35 15	Sec. 53. DEPARTMENT OF EDUCATION. There is appropriated	Appropriates federal and nonstate funds to the DE.
35 16	from federal grants, receipts, and funds and other nonstate	Specifies the amount that will be received by each
35 17	grants, receipts, and funds, available in whole or in part for	budget unit, from each federal grant. The CFDA grant
35 18	the fiscal year beginning July 1, 1992, and ending June 30,	number is specified.
35 19	1993, to the department of education, the following amounts,	
35 20	to be used as set forth in the grants, receipts, or conditions	
35 21	accompanying the receipt of the funds for the purposes	
35 22	designated:	
35 23	1. For adult education, grant number 84002:	Appropriates funds from the Adult Education Program
35 24	\$ 2,293,233	grants.
35 25	2. For AIDS education, grant number 13118:	Appropriates funds from the Control of AIDS Program

PG LN	Senate File 2366	Explanation
35 26	..... \$ 214,433	grants.
35 27	3. For asbestos abatement, grant number 66702:	Appropriates funds from the Asbestos Enforcement
35 28	..... \$ 65,000	Program grants.
35 29	4. For bilingual education, grant number 84003:	Appropriates funds from the Bilingual Education
35 30	..... \$ 75,000	Program grants.
35 31	5. For the Byrd scholarship program, grant number 84185:	Appropriates funds from the Byrd Scholarship Program
35 32	..... \$ 109,225	grants.
35 33	6. For the child care food program, grant number 10558:	Appropriates funds from the Child Care Food Program
35 34	..... \$ 4,100,000	grants.
35 35	7. For civil rights, grant number 84004:	Appropriates funds from the Civil Rights grants.
36 1	..... \$ 321,750	
36 2	8. For drug free schools and communities, grant number	Appropriates funds from the Drug Free Education
36 3	84188:	Program grants.
36 4	..... \$ 4,023,452	
36 5	9. For education consolidation and improvement, grant	Appropriates funds from the Education of Handicapped
36 6	number 84009:	Children Program grants.
36 7	..... \$ 699,839	
36 8	10. For education consolidation and improvement, grant	Appropriates funds from the Education Consolidation
36 9	number 84010:	and Improvement Administration (ECIA) Chapter I
36 10	..... \$ 43,714,490	grants.
36 11	11. For education consolidation and improvement, grant	Appropriates funds from the Migrant Education Program
36 12	number 84011:	grants.
36 13	..... \$ 220,000	
36 14	12. For education consolidation and improvement, grant	Appropriates funds from the Educationally Deprived
36 15	number 84012:	Children Program grants.
36 16	..... \$ 420,328	

PG LN	Senate File 2366	Explanation
36 17 36 18 36 19	13. For education consolidation and improvement, grant number 84013: \$ 308,814	Appropriates funds from the Neglected/Delinquent Child Program grants.
36 20 36 21 36 22	14. For education consolidation and improvement, grant number 84218: \$ 105,459	Appropriates funds from the EICA State Improvements Program grants.
36 23 36 24 36 25	15. For education consolidation and improvement, grant number 84216: \$ 450,630	Appropriates funds from the EICA Capital Expense grants.
36 26 36 27 36 28	16. For education of the handicapped -- incentive, grant number 84173: \$ 3,630,633	Appropriates funds from the Education of Handicapped-Incentive Program grants.
36 29 36 30 36 31	17. For education of the handicapped -- infants and toddlers, grant number 84181: \$ 655,480	Appropriates funds from the Education of Handicapped-Infants and Toddlers Program grants.
36 32 36 33 36 34	18. For educational consolidation and improvement, grant number 84151: \$ 4,967,755	Appropriates funds from the Chapter II Block Grant.
36 35 37 1 37 2	19. For the federal Education for Economic Success Act, Title II, grant number 84164: \$ 1,428,008	Appropriates funds from the Education for Economic Success Act-Chapter II grants.
37 3 37 4	20. For emergency immigrant education, grant number 84162: \$ 31,000	Appropriates funds from the Emergency Immigrant Education Program grants.
37 5 37 6	21. For handicapped education, grant number 84025: \$ 79,000	Appropriates funds from the Handicapped Education Program grants.
37 7 37 8	22. For handicapped education, grant number 84027: \$ 19,316,187	Appropriates funds from the Handicapped-State Program grants.

<p>37 9 23. For handicapped personnel preparation, grant number 37 10 84029: 37 11 \$ 80,000</p> <p>37 12 24. For homeless children and adults, grant number 84192: 37 13 \$ 128,922</p> <p>37 14 25. For homeless children and adults, grant number 84196: 37 15 \$ 50,000</p> <p>37 16 26. For the independent living project, grant number 37 17 84169: 37 18 \$ 160,000</p> <p>37 19 27. For Indochinese child refugees, grant number 84146: 37 20 \$ 150,000</p> <p>37 21 28. For leadership in education, grant number 84178: 37 22 \$ 68,254</p> <p>37 23 29. For mine health and safety, grant number 17600: 37 24 \$ 80,000</p> <p>37 25 30. For the national diffusion network, grant number 37 26 84073: 37 27 \$ 105,934</p> <p>37 28 31. For the school breakfast program, grant number 10553: 37 29 \$ 1,300,000</p> <p>37 30 32. For school food service, grant number 10559: 37 31 \$ 300,000</p> <p>37 32 33. For school food service, grant number 10560: 37 33 \$ 750,000</p> <p>37 34 34. For the school lunch program, grant number 10555:</p>	<p>Appropriates funds from the Handicapped Professional Preparation Program grants.</p> <p>Appropriates funds from the Homeless Adults Program grants.</p> <p>Appropriates funds from the Homeless Youth and Children Program grants.</p> <p>Appropriates funds from the Independent Living Project grants.</p> <p>Appropriates funds from the Transition Program for Refugee Children grants.</p> <p>Appropriates funds from the Leadership in Education Program grants.</p> <p>Appropriates funds from the Mine Health and Safety Program grants.</p> <p>Appropriates funds from the National Diffusion Network Program grants.</p> <p>Appropriates funds from the School Breakfast Program grants.</p> <p>Appropriates funds from the Summer Food Service for Children Program grants.</p> <p>Appropriates funds from the Administrative Expense for Child Nutrition Program grants.</p> <p>Appropriates funds from the School Lunch Program</p>
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PG LN	Senate File 2366	Explanation
37 35	\$ 41,000,000	grants.
38 1 35. For the special milk program for children, grant		Appropriates funds from the Special Milk Program for
38 2 number 10556:		Children grants.
38 3	\$ 200,000	
38 4 36. For supportive employment. grant number 84187:		Appropriates funds from the Supportive Employment
38 5	\$ 262,888	Program grants.
38 6 37. For veterans education, grant number 64111:		Appropriates funds from the Veterans Education
38 7	\$ 200,000	Program grants.
38 8 38. For vocational education, grant number 84048:		Appropriates funds from the Vocational Education
38 9	\$ 8,498,070	State grants.
38 10 39. For vocational education, grant number 84049:		Appropriates funds from the Vocational Education
38 11	\$ 266,441	Program for Consumer and Homemaking grants.
38 12 40. For vocational education, grant number 84053:		Appropriates funds from the Vocational Education
38 13	\$ 152,733	Program for State Advisory Councils grants.
38 14 41. For vocational rehabilitation, grant number 84126:		Appropriates funds from the Rehabilitational Services
38 15	\$ 12,608,426	Basic Support Program grants.
38 16 42. For vocational rehabilitation, grant number 84129:		Appropriates funds from the Rehabilitation Training
38 17	\$ 64,787	Program grants.
38 18 43. For vocational rehabilitation -- disability		Appropriates funds from the Rehabilitational Program
38 19 determination services, grant number 13802:		for Disability Determination Services grants.
38 20	\$ 6,792,949	
38 21 44. For vocational rehabilitation -- state supplementary		Appropriates funds from the Vocational Rehabilitation
38 22 assistance, grant number 13625:		State Supplementary Assistance Program grants.
38 23	\$ 529,054	
38 24 If other federal grants, receipts, and funds and other		Permits the DE to receive other federal grants,
38 25 nonstate grants, receipts, and funds become available or are		receipts, and funds provided that the Legislative

38 26 awarded which are not available or awarded during the period
 38 27 in which the general assembly is in session, but which require
 38 28 expenditure by the department of education prior to March 15
 38 29 of the fiscal year beginning July 1, 1992, and ending June 30,
 38 30 1993, these grants, receipts, and funds are appropriated to
 38 31 the extent necessary, provided that the fiscal committee of
 38 32 the legislative council is notified within thirty days of
 38 33 receipt of the grants, receipts, or funds and the fiscal
 38 34 committee of the legislative council has an opportunity to
 38 35 comment on the expenditure of the grants, receipts, or funds.

Council is notified and given an Opportunity to comment on the expenditure of the funds.

39 1 **Sec. 54. NOTIFICATION OF RECEIPT OF FEDERAL AND OTHER**
 39 2 **NONSTATE FUNDS.** All agencies of this state enumerated in this
 39 3 Act shall report to the department of management and the
 39 4 legislative fiscal bureeu the receipt of federal and other
 39 5 nonstate grants, receipts, and funds for the fiscal year
 39 6 beginning July 1, 1991, and ending June 30, 1992, and the
 39 7 anticipated receipt of federal and other nonstate grants,
 39 8 receipts, and funds for the fiscal year beginning July 1,
 39 9 1992, and ending June 30, 1993. The notification shall be
 39 10 made no later than November 15, 1992, and shall include the
 39 11 names of the grantor and the grant or the source of the funds,
 39 12 the estimated amount of the funds, and the planned
 39 13 expenditures and use of the funds. The format of the
 39 14 notification shall be specified by the legislative fiscal
 39 15 bureau.

Requires all state agencies to notify the DOM and the LFB of the receipt of all federal and nonstate funds for FY 1992, and all anticipated federal and nonstate funds for FY 1993.

Requires the notification to be made by November 15, 1992.

Requires the format of the notification to be specified by the LFB.

39 16 **Sec. 55.** Section 16 of this Act, being deemed of immediate
 39 17 importance, takes effect upon enactment.

Provides that Section 16 of this Act is effective upon enactment. This is the section referring to the procedure for consolidated, categorical, or expanded federal block grants.

39 18 SF 2366
 39 19 aa/cc/26

**EXECUTIVE SUMMARY
K-12 PUBLIC SCHOOL FINANCE BILL**

SENATE FILE 2371

**STATE AID PAYMENT
REQUIREMENTS**

- *Replaces the requirement that the last State Aid payment be made on June 15 each year with the requirement that it be paid on or about June 15 each year.
- Eliminates the requirement that State Aid payments be made in equal installments.

**EXECUTIVE SUMMARY
BUDGET REFORM BILL**

SENATE FILE 2373

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

• Requires the Governor, Supreme Court, and General Assembly **to each** develop a 5-year strategic plan. **The** plans shall **be** updated annually and ~~new~~ 5-year plans shall be developed **for** each succeeding 5-year period. (Page 1, Line 3)

*Allows departments to retain up to **5.0%** of funds which **otherwise** would **revert** for training and education purposes. Requires that moneys expended for training and education under **this** provision shall be **reported** to the Governor and the General Assembly. (Page 2, Line 25)

*Establishes a periodic program review process in Chapter 8, Code of Iowa. **The** primary purpose of **the review** is to **determine** whether or not there is a continuing, genuine public need for the program or function under review. Executive Branch departments and programs will be reviewed **once** every 10 years **on a** schedule developed by the director of the Department of Management. The director shall **biennially** submit a review report to the General Assembly containing material for each program reviewed and the ~~director~~ may recommend:

- Continuance of a program.
- Termination of a program or abolishment of the program's **administering** department. **Termination unless** certain conditions are met or modifications made within a *certain* time period.
- Consolidation, merger, or transfer of a program.
- Budget limitations, changes in fees, or other managerial changes **to assure** service delivery in a fiscally efficient manner. (Page 3, Line 8 through Page 8, Line 34)

. Requires the Department of Management and the Department of Revenue and Finance to annually prepare a tax expenditure review of the **tax** expenditures authorized in the Code of Iowa. **Tax** expenditures means tax credits, exemptions, and deductions including but not limited to: **personal exemption tax** credit, federal **tax** deductions, the **sales** and services tax exemptions, the homestead tax credit, **and** the military service **tax** credit. The purpose of the review is increase accountability and efficiency of state government through increased oversight of **tax** expenditures. (Page 9, Line 1 through Page 10, Line 31)

• Allows the Governor to submit a biennial budget. (Page 14, Line 9)

- Requires the departments to submit budget information on a **program-based** system. Requirements of the initial budget information shall be specified by the Legislative Fiscal Bureau **in** consultation with the Department of Management. Such specifications are subject to approval by the Legislative Fiscal **Committee**. (Page 18, Line 7)

• The Governor vetoed the entire bill.

GOVERNOR'S VETOES

Senate File 2373

Senate File 2373 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	3	101	Adds	Sec. 8.53(1)	Strategic Planning
1	11	101	Adds	Sec. 8.53(2)	Strat. Planning Updates
2	10	101	Adds	Sec. 8.53(3)	Strat. Planning Elements
2	19	101	Adds	Sec. 8.53(4)	Strat. Plan Submission Date
2	25	201	Adds	Sec. 8.58	Training and Education
3	8	301 & 302	Adds	Sec. 8.6(9A) & 8.56(1-3)	Program Review
				Code Supplement 1991	
4	6	303	Adds	Sec. 8.57(1-2)	Definitions
4	15	304	Adds	Sec. 8.58(1-3)	Management Review Rules
4	32	305	Adds	Sec. 8.59(1-2)	DOM Duties
5	29	306	Adds	Sec. 8.60(1-12)	Criteria For Review
7	18	307	Adds	Sec. 8.61(1)	Management Review Report
7	35	307	Adds	Sec. 8.61(2)	Management Review Schedule
8	5	307	Adds	Sec. 8.61(3)	Director Recommend. Options
8	28	308	Adds	Sec. 8.62	Proposed Transition Plan
9	1	401	Adds	Sec. 8.63(1-3)	Review Of Tax Expenditures
9	27	402	Adds	Sec. 8.64	Tax Expenditure Definition
10	1	403	Adds	Sec. 8.65	Review Schedule
10	9	404	Adds	Sec. 8.66	Review Report
10	34	501	Amends	Sec. 2.12	Biennial Budgeting
12	15	502	Adds	Sec. 2.12A	Fiscal Biennium Approp.
12	35	503	Amends	Sec. 2.16	Bill Submission Date Change
13	21	504	Amends	Sec. 8.21	Budget Transmittal
14	3	505	Amends	Sec. 8.22	Governor's Budget Message
14	9	505	Amends	Sec. 8.22	Budget Contents
16	32	505	Amends	Sec. 8.22	Budget Contents
17	19	505	Amends	Sec. 8.22	Governor's Budget Bills
17	34	506	Amends	Sec. 8.22A	Revenue Estimating Conference
18	7	507	Amends	Sec. 8.23	Biennial Dept. Estimates

Page #	Line #	Bill Section	Action	Code Section Changed	Description
				Code Supplement 1991	
19	23	508	Amends	Sec. 8.24	Estimate of Income
20	1	509	Amends	Sec. 8.25	Tentative Budget
20	15	510	Amends	Sec. 8.27	Preparation of Budget
20	26	511	Amends	Sec. 8.30	Availability of Approps.
21	4	512	Amends	Sec. 8.35A(2)	Weekly Budget Tapes
21	24	513	Amends	Sec. 8.37	Fiscal Biennium
21	30	514	Amends	Sec. 8.41(2)	Federal Receipts

VETOED

1 1 DIVISION I
1 2 STRATEGIC PLANNING

1 3 Section 101. NEW SECTION. 8.53 STRATEGIC PLANNING.
1 4 1. The governor, supreme court, and general assembly shall
1 5 each develop a five-year strategic plan for their respective
1 6 branch of government. The governor and general assembly shall
1 7 also develop a five-year strategic plan providing long-term
1 8 goals and objectives for the state. The strategic plans shall
1 9 be annually updated and new five-year plans developed for each
1 10 succeeding five-year period.

CODE: Requires the Governor, Supreme Court, and General Assembly to develop five-year strategic plans. The plans shall be for each branch of government. Further requires the Governor and General Assembly to develop a five-year strategic plan outlining the goals and objectives for the State.

VETOED: The Governor vetoed all sections of SF 2373 for the following reasons:

1. The burden of proof on program expiration falls on proving that the program should not be continued rather than requiring the program to justify its existence.
2. The bill does not require biennial budgeting on the part of the General Assembly.
3. The bill shortens the time in which the Governor's budget recommendations are developed.
4. The responsibility for determining the format of agency budget requests should remain with the Executive Branch.

1 11 2. Following presentation of the initial executive branch
1 12 strategic plan, yearly updates of the plan shall be submitted
1 13 as part of the governor's annual budget proposal to the
1 14 general assembly under section 8.22. The plan shall utilize
1 15 information obtained pursuant to section 8.52, include all
1 16 relevant budget projections, and include the plans developed
1 17 by each department and establishment of government for that
1 18 department or establishment in accordance with this section.
1 19 The governor shall provide an overall compilation of the plans
1 20 and identify the governor's top five priorities for the

CODE: Requires yearly updating of the Executive Branch strategic plan as part of the Governor's budget. Requires an overall compilation of each agency's plan and identification of the Governor's top 5 priorities for the next fiscal year. The plan shall include:

1. A timeline for the goals and objectives.
2. Estimates of the costs of accomplishing the goals and objectives.

1 21 ensuing fiscal year in the annual budget message required
 1 22 under section 8.22. The plan by each department or
 1 23 establishment shall be submitted to the governor at the same
 1 24 time and with the budget materials required under section 8.23
 1 25 and shall be considered at the public hearing required
 1 26 pursuant to section 8.26. A department's or establishment's
 1 27 plan shall be submitted to the general assembly at the same
 1 28 time it is submitted to the governor. The plan for each
 1 29 department and establishment shall provide budget projections
 1 30 and requirements, long-term and short-term goals, and other
 1 31 information relating to implementation of the plan, including
 1 32 but not limited to all of the following:

1 33 a. Identifying and providing a time line for the critical
 1 34 goals and objectives to be accomplished during the five-year
 1 35 period.

2 1 b. Providing detailed estimates of the related costs.

2 2 c. Identifying the other resources, policy considerations,
 2 3 and any cooperative involvement by other departments and
 2 4 agencies of state government necessary to attain the critical
 2 5 goals and objectives.

2 6 d. Identifying performance indicators for measuring the
 2 7 accomplishment of the critical goals and objectives.

2 8 e. Submitting an annual progress report based upon the
 2 9 performance indicators.

2 10 3. The strategic planning elements required in subsection
 2 11 2, paragraphs a through e, shall be addressed in the
 2 12 strategic plans developed by the legislative and judicial
 2 13 branches of state government. The supreme court's plan shall
 2 14 be submitted to the general assembly on or before the first
 2 15 business day in January. The general assembly's strategic
 2 16 plan shall be considered in a concurrent resolution and is
 2 17 subject to approval by a constitutional majority of the
 2 18 members of each chamber.

2 19 4. The initial strategic plans required by this section
 2 20 shall apply to the 1994-1995 fiscal year and shall be

3. The resources, policy considerations, and other department's involvement in achieving the goals and objectives.
4. Performance measures for achieving the goals and objectives.
5. Submission of annual progress reports based on the performance measures.

CODE: Requires the Courts and the General Assembly strategic plans to address the same issues required of the executive branch. The Court's plan is due by the first business day in January. The General Assembly's plan is to be considered in a concurrent resolution subject to approval by a constitutional majority.

CODE: Requires the submission of initial plans for the Executive and Judicial Branches in December 1993.

PG LN	Senate File 2373	Explanation
2 21 2 22	submitted by the executive and judicial branches in December 1993.	
2 23 2 24	<p style="text-align: center;">DIVISION II TRAINING AND EDUCATION</p>	
2 25 2 26 2 27 2 28 2 29 2 30 2 31 2 32 2 33 2 34 2 35 3 1 3 2 3 3 3 4 3 5	<p>Sec. 201. <u>NEW SECTION.</u> 8.58 TRAINING AND EDUCATION. It is the policy of the state to encourage all state employees to possess an active interest in the efficient use of public resources. As an incentive to employees, a department or establishment may retain up to five percent of the moneys appropriated to the department or establishment from funds of the state which remain unencumbered or unobligated following the close of the fiscal year. Notwithstanding section 8.33, the retained moneys shall not revert to the funds of the state but shall remain available during the succeeding fiscal year and used only for payment of employee training or education expenses, including but not limited to educational leave granted pursuant to section 79.1. Moneys expended pursuant to this section shall be reported to the governor and the general assembly in the budget information submitted during the succeeding fiscal year.</p>	<p>CODE: Adds language allowing a department to retain up to 5.0% of monies appropriated to the department at the end of the fiscal year which are not obligated or encumbered. The unspent funds are to be used for payment of employee training or education expenses, including educational leave. The monies expended are to be reported to the Governor and General Assembly in the next years' budget documents.</p>
3 6 3 7	<p style="text-align: center;">DIVISION III PERIODIC PROGRAM REVIEW</p>	
3 8 3 9 3 10 3 11 3 12 3 13 3 14 3 15 3 16 3 17 3 18	<p>Sec. 301. Section 8.6, Code Supplement 1991, is amended by adding the following new subsection: <u>NEW SUBSECTION.</u> 9A. MANAGEMENT REVIEW. To prepare a management review and accompanying recommendations as provided in sections 8.56 through 8.62. Sec. 302. <u>NEW SECTION.</u> 8.56 MANAGEMENT REVIEW OF EXECUTIVE BRANCH PROGRAMS AND FUNCTIONS -- AUTHORIZATION AND PURPOSE. 1. The director shall biennially prepare a management review detailing the periodic functional review of the programs and functions of the executive branch of state</p>	<p>CODE: Adds language including management review of the Executive Branch as a required function. The objectives of the review include:</p> <ol style="list-style-type: none"> 1. Determining if there is a continuing public need for the program or function. 2. Increasing the accountability and efficiency of State government.

3 19 government. This periodic review is intended to assure the
 3 20 cost-effective delivery and quality performance of state
 3 21 services, in order to maintain a balanced state budget, a
 3 22 healthy state economy, and the confidence of Iowa citizens in
 3 23 government. The primary purpose of the management review is
 3 24 to determine whether or not there is a continuing, genuine
 3 25 public need for the program or function under review and, if
 3 26 so, to determine whether the public need is served. The
 3 27 recommendations resulting from the management review shall be
 3 28 submitted to the governor and the general assembly. The
 3 29 working papers associated with the recommendations shall be
 3 30 submitted to the legislative fiscal bureau.

3 31 2. The purpose of the management review is to provide a
 3 32 mechanism designed to increase the accountability and
 3 33 efficiency of state government through increased managerial
 3 34 oversight and scrutiny of programs, functions, and
 3 35 performance. The director is granted broad authority to
 4 1 recommend termination, reduction, or reorganization of
 4 2 programs or functions.

4 3 3. The director shall have the powers and duties to
 4 4 prepare and implement the management review as provided in
 4 5 sections 8.57 through 8.62..

4 6 Sec. 303. NEW SECTION. 8.57 DEFINITIONS.

4 7 As used in sections 8.56 through 8.62, unless the context
 4 8 otherwise requires:

4 9 1. Management review means the review of a department's
 4 10 program conducted under the director's authority as provided
 4 11 by sections 8.58 through 8.62.

4 12 2. Program means a program or function of an executive
 4 13 branch agency, whether the program is created by statute,
 4 14 administrative rule, or internal procedure.

4 15 Sec. 304. NEW SECTION. 8.58 MANAGEMENT REVIEW RULES.

4 16 The director shall adopt rules pursuant to chapter 17A to
 4 17 implement sections 8.56 through 8.62. The rules shall
 4 18 include, but are not limited to, the following:

CODE: Adds language defining management review and program.

CODE: Allows the Director of the Department of Management (DOM) to adopt rules to implement the management review process. Requires the assigning of a review date to each department of the Executive

PG LN	Senate File 2373	Explanation
<p>4 19 1. A schedule assigning a management review date to each 4 20 department's Programs as identified by the director, once 4 21 within a ten-year cycle. A department's programs may be 4 22 subdivided by the director, and the parts of a program may be 4 23 subject to review in different legislative bienniums, with 4 24 particular programs or functions exempted, to facilitate the 4 25 director's review. 4 26 2. The information required to be submitted by a 4 27 department in connection with a management review of its 4 28 organization or programs. 4 29 3. Additional standards, methodologies, or criteria for 4 30 review of programs, consistent with the requirements of this 4 31 chapter.</p>		<p>Branch once within a ten-year period.</p>
<p>4 32 Sec. 305. <u>NEW SECTION.</u> 8.59 DIRECTOR'S MANAGEMENT REVIEW 4 33 RESPONSIBILITIES AND DUTIES. 4 34 1. The director shall perform the following duties. 4 35 a. Conduct a thorough review of all information furnished 5 1 by each department administering a program under management 5 2 review. 5 3 b. Obtain, verify, and review any reports, audits, or 5 4 actions taken by other departments concerning the program 5 5 under management review, including, but not limited to, recent 5 6 reports prepared by: 5 7 (1) The auditor of state. 5 8 (2) A legislative interim study or standing committee. 5 9 (3) The legislative fiscal bureau or legislative service 5 10 bureau. 5 11 (4) The treasurer of state. 5 12 (5) A special governmental task force or committee. 5 13 c. Submit the final management review report to the 5 14 governor and the general assembly, on or before January 1 of 5 15 the second year of a legislative biennium. The report shall 5 16 contain at least the following elements: 5 17 (1) Evaluation of each program reviewed. 5 18 (2) Recommendations regarding each program reviewed, 5 19 including any conditions for termination suggested by the</p>		<p>CODE: Requires the Director of the DOM to perform the following duties:</p> <ol style="list-style-type: none"> 1. Review all information provided by each department under review. 2. Obtain, verify, and review reports produced concerning the department under review. 3. Report to the Governor and General Assembly by January 1 of the second year of a biennium on the evaluation and recommendations of each reviewed program. 4. Also, requires the cooperation of the department under review.

5 20 director.

5 21 2. A department administering a program subject to
5 22 management review shall provide all assistance and information
5 23 reasonably required by the director. Information provided to
5 24 the director shall also be submitted to the legislative fiscal
5 25 bureau. The director shall cooperate with the legislative
5 26 fiscal bureau to facilitate, to the greatest extent possible,
5 27 requests for information made by the legislative fiscal bureau
5 28 in connection with a management review.

5 29 **Sec. 306. NEW SECTION. 8.60 CRITERIA FOR REVIEW.**

5 30 The director shall not presume that a genuine public need
5 31 continues for a program, or that the program is serving the
5 32 identified public need. The administering department must
5 33 show, through the criteria for review, that there is a
5 34 continuing public need, and that the program is serving that
5 35 public need in an administratively or fiscally effective
6 1 manner. The criteria shall include but are not limited to all
6 2 of the following:

6 3 1. The purpose of the statute, administrative rule, or
6 4 internal procedure establishing a program, and the manner of
6 5 operation of the program designed to achieve this purpose.

6 6 2. The extent to which the purpose for which the program
6 7 was created remains a continuing public need.

6 8 3. The extent to which the program has succeeded in
6 9 serving the public need or furthering the public purpose for
6 10 which the program was created.

6 11 4. An independent determination, apart from information
6 12 supplied by the administering department or by persons having
6 13 a direct interest in the continued existence of the program,
6 14 that the absence of the program would be detrimental to the
6 15 public health, safety, or welfare.

6 16 5. An assessment of the program's administrative and
6 17 fiscal efficiency, including alternative methods of achieving
6 18 the stated or implicit objectives of the statute,
6 19 administrative rule, or internal procedure establishing the
6 20 program, and a determination whether or not these alternative

CODE: Adds criteria for review of programs. The criteria includes:

1. The purpose and manner of operation of the program designed to achieve the purpose.
2. The extent to which the need for the program still exists.
3. Independent determination that elimination of the program would result in an impact on the health, safety, or welfare of the public.
4. An assessment of the administrative and fiscal efficiency of the program.
5. A determination of whether the mandate is clear and has been complied with.
6. A determination of whether another entity in the State performs the same or similar functions.
7. A determination of whether the services may be better provided by the private sector.
8. The administrative or fiscal efficiency of the program.
9. A determination of whether applications and formal complaints filed with the department have been processed effectively.
10. A determination of whether the program has been operated in an open and accountable manner.
11. The potential impact on federal funds if the program is terminated.

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<p>6 21 methods would achieve the objectives. Cost-benefit analytical 6 22 techniques may be applied to gauge efficiency. 6 23 6. Determination as to whether the statute, administrative 6 24 rule, or internal procedure provides a clear mandate to the 6 25 department administering the program, and that the department 6 26 has complied with this mandate through its administration of 6 27 the program. 6 28 7. Determination as to whether other programs, activities, 6 29 or departments of state government have the same or similar 6 30 objectives. If so, a Comparison of the costs and 6 31 effectiveness between programs, activities, or departments and 6 32 identification of unnecessary duplication with the program 6 33 under review shall be included. 6 34 8. Determination as to whether services provided or 6 35 purposes served by the program are in competition with the 7 1 private sector or may be better provided by the private 7 2 sector, either without governmental assistance or under 7 3 contract to the government. 7 4 9. The administrative or fiscal efficiency with which the 7 5 program meets its objectives. 7 6 10. Determination as to whether applications and formal 7 7 public complaints filed with the administering department have 7 8 been processed effectively and fairly. 7 9 11. Determination as to whether the program has been 7 10 operated by the administering department in an open and 7 11 accountable manner, with public access to records and 7 12 meetings, and with safeguards against possible conflicts of 7 13 interest. 7 14 12. Identification of the potential impact in terms of 7 15 federal intervention or loss of federal funds if the program 7 16 is terminated.</p>		
<p>7 17 Sec. 307. NEW SECTION. 8.61 MANAGEMENT REVIEW REPORT, 7 18 1. The management review report shall contain all of the 7 19 following material for each program reviewed: 7 20 a. A complete description of the program and its</p>		<p>CODE: Adds language specifying the components of a management review report. The report shall include the following:</p>

7 21 administering department, including the program's objectives
7 22 and a detailed outline of the management of the program by the
7 23 administering department.

7 24 b. A review of all relevant material obtained in the
7 25 course of the review.

7 26 c. A determination of whether a continuing public need for
7 27 the program exists, and whether the program is appropriately
7 28 serving that public need.

7 29 d. An evaluation of the program under the review criteria
7 30 of section 8.60.

7 31 e. A recommendation concerning the program's termination.
7 32 If the director recommends termination, the termination shall
7 33 be submitted to the general assembly as part of the governor's
7 34 legislative package.

7 35 2. The final report shall contain the management review
8 1 schedule for the programs subject to review during the second
8 2 calendar year following the year in which the report is
8 3 submitted. The schedule shall be adopted by rule in
8 4 accordance with section 8.58.

8 5 3. The director may recommend any or all of the following:

8 6 a. Continuance of a program.

8 7 b. Termination of a program or abolishment of the
8 8 program's administering department.

8 9 c. The consolidation, merger, or transfer of a program or
8 10 departmental unit from one department to another.

8 11 d. The termination of a program, unless certain conditions
8 12 are met or modifications made within a specified period of
8 13 time.

8 14 e. Budget limitations for a program.

8 15 f. Changes in fees to assure that the costs of a
8 16 regulatory program are borne by the regulated industry or
8 17 group.

8 18 g. Other managerial changes to assure service delivery in
8 19 an administratively and fiscally efficient manner.

8 20 4. If the director recommends any changes or termination

1. A description of the program and its objectives.
2. A review of all material used by the Department in the review.
3. A determination of whether the program is serving a public need.
4. An evaluation of the program specified by the review criteria.
5. A recommendation concerning program termination shall be included in the Governor's budget.

CODE: Adds language requiring the final report to contain the management review schedule for the following year.

CODE: Adds language specifying the courses of action open to the Director. They include continuation, termination, abolishment, transfer, consolidation, budget limitations, changes in fees, end other managerial changes. If termination is recommended, it shall include the proposed legislation.

8 21 of a program, the recommendation shall include both of the
8 22 following:

8 23 a. Proposed legislation to implement a recommendation,
8 24 concerning a program.

8 25 b. Proposed legislation relating to an administering
8 26 department, program, related agency or department, or a
8 27 program's underlying public need.

8 28 Sec. 308. NEW SECTION. 8.62 PROPOSED TRANSITION PLAN.

8 29 If a program is recommended by the director for
8 30 termination, the administering department shall submit a
8 31 transition plan to the director and the general assembly for
8 32 review. If the department fails to submit an acceptable
8 33 transition plan, the director shall prepare the transition
8 34 plan. A transition plan must be approved by the director.

CODE: Adds language requiring the administering department to submit a transition plan if the review has recommended elimination of the program.

8 35 DIVISION IV

9 1 Sec. 401. NEW SECTION. 8.63 REVIEW OF TAX EXPENDITURES -
9 2 -AUTHORIZATION AND PURPOSE.

9 3 1. The director of the department of management and the
9 4 director of revenue and finance shall annually prepare a tax
9 5 expenditure review detailing the periodic functional review of
9 6 the tax expenditures authorized in the Code of Iowa. This
9 7 periodic review is intended to assure the continued
9 8 feasibility and viability of tax expenditures authorized by
9 9 the Code of Iowa, in order to maintain a balanced state
9 10 budget, a healthy state economy, and the confidence of Iowa
9 11 citizens in government. The primary purpose of the tax
9 12 expenditure review is to determine whether or not there is a
9 13 continuing, genuine public need for a tax expenditure and, if
9 14 so, to determine whether the public need is served and whether
9 15 the expenditure is meeting its stated goal or objective. The
9 16 recommendations resulting from the tax expenditure review
9 17 shall be submitted to the governor and the general assembly.
9 18 The working papers associated with the recommendations shall
9 19 be submitted to the legislative fiscal bureau.

CODE: Adds language requiring the Director of the DOM and Department of Revenue and Finance (DRF) to annually prepare a review of tax expenditures authorized in the Code of Iowa. The purpose of the review is to increase the accountability and efficiency of State government.

9 20 2. The purpose of the tax expenditure review is to provide
 9 21 a mechanism designed to increase the accountability and
 9 22 efficiency of state government and the state tax system
 9 23 through increased oversight and scrutiny of tax expenditures.
 9 24 3. The director of the department of management shall have
 9 25 the powers and duties necessary to prepare and implement the
 9 26 tax expenditure review.

9 27 **Sec. 402. NEW SECTION. 8.64 TAX EXPENDITURES DEFINED.**
 9 28 As used in sections 8.63, 8.65, and 8.66, tax
 9 29 expenditures means tax credits, exemptions, and deductions
 9 30 including but not limited to the following: the personal
 9 31 income tax exemption credit allowed in section 422.12, the
 9 32 federal tax deductions under sections 422.7 and 422.35, the
 9 33 sales and services tax exemptions under section 422.45, the
 9 34 real property homestead exemption under chapter 425, and the
 9 35 military service tax credit under chapter 426A.

CODE: Adds language defining tax expenditures. Tax expenditures includes, but are not limited to, Personal Income Tax Exemption Credit, Federal Tax Deductions, Sales and Services Tax Exemptions, Homestead Exemptions, and the Military Service Tax Credit.

10 1 **Sec. 403. NEW SECTION. 8.65 TAX EXPENDITURE REVIEW**
 10 2 **SCHEDULE.**
 10 3 A schedule assigning a tax expenditure review date on a
 10 4 four-year cycle to each tax expenditure as identified by the
 10 5 director of revenue and finance, shall be prepared by the
 10 6 department of management. The review shall include the
 10 7 standards, methodologies, or criteria for review of tax
 10 8 expenditures consistent with the requirements of this chapter.

CODE: Adds language requiring a review of each tax expenditure on a four-year cycle.

10 9 **Sec. 404. NEW SECTION. 8.66 TAX EXPENDITURE REVIEW**
 10 10 **REPORT.**
 10 11 The tax expenditure review report shall contain all of the
 10 12 following material for each tax expenditure reviewed:
 10 13 a. A complete description of the tax expenditure,
 10 14 including the goals and objectives of the expenditure as
 10 15 stated in the Code of Iowa.
 10 16 b. A review of all relevant material obtained in the
 10 17 course of the review.
 10 18 c. A determination of whether a continuing public need for

CODE: Adds language specifying the contents of the tax expenditure review report. The report shall include:

1. A description of the tax expenditure.
2. A review of all relevant material used in the review.
3. A determination of whether a public need exists for the tax expenditure.
4. A determination of whether the tax expenditure

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10 19 the tax expenditure exists, and whether the expenditure is
 10 20 appropriately serving that public need.
 10 21 d. The impact of the tax expenditure on state revenues.
 10 22 e. A determination of whether the tax expenditure is
 10 23 meeting its stated goals and objectives. If a tax expenditure
 10 24 does not have a written goal or objective, the report shall
 10 25 include recommended intent language for the tax expenditure.
 10 26 Any intent language shall be referred to the general assembly
 10 27 as part of the governor's legislative package.
 10 28 f. A recommendation concerning the expenditure. If the
 10 29 report recommends repeal or modification of the expenditure,
 10 30 the recommendation shall be submitted to the general assembly
 10 31 as part of the governor's legislative package.

10 32 DIVISION V
 10 33 BIENNIAL BUDGETS

10 34 Sec. 501. Section 2.12, unnumbered paragraph 4, Code 1991,
 10 35 is amended to read as follows:
 11 1 There is appropriated out of any funds in the state
 11 2 treasury not otherwise appropriated such sums as may be
 11 3 necessary for the fiscal year budgets of the legislative
 11 4 service bureau, the legislative fiscal bureau, the citizens'
 11 5 aide office, and the computer support bureau for salaries,
 11 6 support, maintenance, and miscellaneous purposes to carry out
 11 7 their statutory responsibilities. The legislative service
 11 8 bureau, the legislative fiscal bureau, the citizens' aide
 11 9 office, and the computer support bureau shall submit their
 11 10 proposed budgets for each of the two fiscal years of the
 11 11 fiscal biennium to the legislative council not later than
 11 12 September 1 of each the year preceding the first year of the
 11 13 fiscal biennium. The legislative council shall review and
 11 14 approve the proposed budgets budget for the first fiscal year,
 11 15 and may review and approve the proposed budget for the second
 11 16 fiscal year not later than December 1 of each the year .
 11 17 preceding the first year of the fiscal biennium. If only the
 11 18 first fiscal year budget is approved, the second fiscal year

- is meeting the stated goals.
5. A recommendation of whether the tax should be modified or repealed.
 6. If repeal is recommended, the recommendation shall be included as part of the Governor's budget.

CODE: Amends language changing the budget process for the central staff agencies of the General Assembly from annual budgeting to biennial budgeting. Requires submission of budgets for both years of the biennium.

11 19 budget shall be approved not later than the next December 1.
 11 20 The budget approved by the legislative council for each of its
 11 21 statutory legislative agencies shall be transmitted by the
 11 22 legislative council to the department of management on or
 11 23 before December 1 of ~~each~~ the year preceding the first year of
 11 24 the fiscal biennium for the fiscal ~~year~~ biennium beginning
 11 25 July 1 of the following year. If only the first fiscal year
 11 26 budget is approved and transmitted. the second fiscal year
 11 27 budget shall be transmitted on or before the next December 1.
 11 28 The department of management shall submit the approved budgets
 11 29 received from the legislative council to the governor for
 11 30 inclusion in the governor's proposed budget for the succeeding
 11 31 fiscal ~~year~~ biennium. The approved budgets shall also be
 11 32 submitted to the chairpersons of the committees on
 11 33 appropriations. The committees on appropriations may allocate
 11 34 from the funds appropriated by this section the funds
 11 35 contained in the approved budgets, or such other amounts as
 12 1 specified, pursuant to a concurrent resolution ~~to-be~~ approved
 12 2 by both houses of the general assembly. The director of
 12 3 revenue and finance shall issue warrants for salaries,
 12 4 support, maintenance, and miscellaneous purposes upon
 12 5 requisition by the administrative head of each statutory
 12 6 legislative agency. If the legislative council elects to
 12 7 change the approved budget for a legislative agency ~~prior to~~
 12 8 ~~July 1~~ for either or both fiscal years of a fiscal biennium,
 12 9 the legislative council shall transmit the amount of the
 12 10 budget revision to the department of management prior to July
 12 11 1 of the affected fiscal year, however, if the general
 12 12 assembly approved the budget it cannot be changed except
 12 13 pursuant to a concurrent resolution approved by the general
 12 14 assembly.

12 15 Sec. 502. NEW SECTION. 2.12A FISCAL BIENNIUM -- APPRO-
 12 16 PRIATIONS.
 12 17 In the first year of each legislative biennium the general
 12 18 assembly may enact appropriations for ensuing fiscal years of
 12 19 the fiscal biennium. An appropriation shall indicate the

CODE: Adds language allowing the General Assembly to make appropriations for both years of a biennium.

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12 20 12 21 12 22 12 23 12 24 12 25 12 26 12 27 12 28 12 29 12 30 12 31 12 32 12 33 12 34	<p>source from which the appropriation shall be paid. An appropriation need not be in greater detail than to indicate the total appropriation to be made for both of the following:</p> <p>1. Administration, operation, and maintenance of each department and establishment, as defined in section 8.2, for each fiscal year of a fiscal biennium.</p> <p>2. The cost of land, public improvements, and other capital outlays for each department and establishment, itemized by specific projects or classes of projects of the same general character.</p> <p>If appropriations are enacted for both years of the fiscal biennium, the general assembly may enact appropriation bills in the second year of a fiscal biennium providing for supplemental appropriations to or appropriation reductions from the previously enacted fiscal biennium budget.</p>	
12 35 13 1 13 2 13 3 13 4 13 5 13 6 13 7 13 8 13 9 13 10 13 11 13 12 13 13 13 14 13 15 13 16 13 17 13 18 13 19 13 20	<p>Sec. 503. Section 2.16. unnumbered paragraph 2, Code 1991, 1 is amended to read as follows:</p> <p>Departments and agencies of state government shall, at least forty-five days prior to the convening of each session of the general assembly. submit copies to the legislative service bureau of proposed legislative bills and joint resolutions which such departments desire to be considered by the general assembly. The proposed legislative bills and joint resolutions of the governor must be submitted by the <u>Friday January 1</u> prior to the convening of the session of the general assembly, except in the year of the governor's initial inauguration. The legislative service bureau shall review such proposals and submit them in proper form to the presiding officer in each house of the general assembly for referral to the proper standing committee. Before submitting any proposal prepared under this section to the presiding officers, the legislative service bureau shall return it for review to, as appropriate, the relevant department or agency or the governor's office and such department or agency or the governor's office shall review and return it within seven days of such delivery.</p>	<p>CODE: Adds language changing the date of submission for bills and joint resolutions by the Governor from the Friday prior to the Legislative Session to January 1.</p>

13 21 Sec. 504. Section 8.21, Code 1991, is amended to read as
 13 22 follows:
 13 23 8.21 BUDGET TRANSMITTED.
 13 24 ~~Not later than~~ On or before February 1 of each legislative
 13 25 session, the governor shall transmit to the ~~legislature~~
 13 26 general assembly a document to be known as a budget, setting
 13 27 forth the governor's financial program for each of the fiscal
 13 28 years of the ensuing fiscal year biennium and having the
 13 29 character end scope set forth in sections 8.22 through 8.29.
 13 30 If only the first fiscal year budget is approved in the first
 13 31 year of the legislative biennium, the governor shall transmit
 13 32 any adjustments to the financial program budget document for
 13 33 the second fiscal year budget to the general assembly on or
 13 34 before February 1 of the second year of the legislative
 13 35 biennium.

CODE: Amends language changing the date of transmission of the Governor's budget from not later than February 1, to on or before February 1. Requires the Governor to transmit adjustments to the General Assembly for the second year of a biennium by February 1 of the second year.

14 1 Sec. 505. Section 8.22, Code 1991, is amended to read as
 14 2 follows:

14 3 8.22 NATURE AND CONTENTS OF BUDGET.
 14 4 The budget shall consist of three parts, the nature and
 14 5 contents of which shall be as follows, except that for the
 14 6 second fiscal year of the biennium the budget shall only
 14 7 relate to that second fiscal year:

CODE: Adds language requiring that if only the first budget of a biennium is approved, the Governor is required to transmit adjustments to the second fiscal year.

14 8 ?ART I

14 9 GOVERNOR'S BUDGET MESSAGE. Part I shall consist of the
 14 10 governor's budget message, in which the governor shall set
 14 11 forth:
 14 12 1. The governor's program for meeting all the expenditure
 14 13 needs of the government for ~~the~~ each of the ensuing fiscal
 14 14 year years of the biennium, indicating the classes of funds,
 14 15 general or special, from which appropriations are to be made
 14 16 and the means through which the expenditures shall be
 14 17 financed.

CODE: Amends language to change from annual to biennial budgeting in the Governor's budget.

14 18 The governor's program shall include a single budget
 14 19 request for all capital projects proposed by the governor.
 14 20 The request shall include but is not limited to the following:
 14 21 a. The purpose and need for each capital project.
 14 22 b. A priority listing of capital projects.
 14 23 c. The costs of acquisition, lease, construction,
 14 24 renovation, or demolition of each capital project.
 14 25 d. The identification of the means and source of funding
 14 26 each capital project.
 14 27 e. The estimated operating costs of each capital project
 14 28 after completion.
 14 29 f. The estimated maintenance costs of each capital project
 14 30 after completion.
 14 31 g. The consequences of delaying or abandoning each capital
 14 32 project.
 14 33 h. Alternative approaches to meeting the purpose or need
 14 34 for each capital project.
 5 i. Alternative financing mechanisms.
 15 1 j. A cost-benefit analysis or economic impact of each
 15 2 capital project.
 15 3 2. Financial statements giving in summary form:
 15 4 a. The condition of the treasury at the end of the last
 15 5 completed fiscal year, the estimated condition of the treasury
 15 6 at the end of the year in progress, and the estimated
 15 7 condition of the treasury at the end of each of the following
 15 8 ~~fiscal year~~ ensuing fiscal years of the fiscal biennium if the
 15 9 governor's budget proposals are put into effect.
 15 10 b. Statements showing the bonded indebtedness of the
 15 11 government, debt authorized and unissued, debt redemption and
 15 12 interest requirements, and condition of the sinking funds, if
 15 13 any.
 15 14 c. A summary of appropriations recommended for each of the
 15 15 ~~following fiscal year~~ ensuing fiscal years of the fiscal
 15 16 biennium for each **department** and establishment and for the
 15 17 government as a whole, in comparison with the actual
 15 18 expenditures for the last completed fiscal year and the
 15 19 estimated expenditures for the year in progress.

15 20 d. A summary of the revenue, estimated to be received by
 15 21 the government during each of the following ensuing fiscal
 15 22 ~~year~~ years of the fiscal biennium, classified according to
 15 23 sources, in comparison with the actual revenue received by the
 15 24 government during the last completed fiscal year and estimated
 15 25 income during the year in progress.

15 26 e. A statement of federal funds received in the form of
 15 27 block or categorical grants which were not included in the
 15 28 governor's budget for the previous fiscal year and a statement
 15 29 of anticipated block grants and categorical grants for each of
 15 30 the ensuing fiscal years of the fiscal biennium. The budget
 15 31 shall indicate how the federal funds will be used and the
 15 32 programs to which they will be allocated. The amount of state
 15 33 funds required to implement the programs to which the federal
 15 34 funds will apply shall also be indicated. The departments
 15 35 shall provide information to the director on the anticipated
 16 1 federal block grants and categorical grants to be received on
 16 2 or before November 1 of each year. The director shall use
 16 3 this information to develop an annual update of the statement
 16 4 of federal funds received which shall be provided to the
 16 5 general assembly.

16 6 f. Other financial statements, data, and comments as in
 16 7 the governor's opinion are necessary or desirable in order to
 16 8 make known in all practicable detail the financial condition
 16 9 and operation of the government and the effect that each
 16 10 fiscal year of the biennial budget as proposed by the governor
 16 11 will have on the financial condition and operation.

16 12 If the estimated revenues of the government for ~~the ensuing~~
 16 13 ~~each~~ fiscal year of the biennium as set forth in the budget on
 16 14 the basis of existing laws, plus the estimated amounts in the
 16 15 treasury at the close of each of the year fiscal years of the
 16 16 biennium in progress, available for expenditure in each of the
 16 17 ensuing fiscal year years are less than the aggregate
 16 18 recommended for the ensuing fiscal year or years as contained
 16 19 in the budget, the governor shall make recommendations to the
 16 20 ~~legislature~~ general assembly in respect to the manner in which.
 16 21 the deficit shall be met, whether by an increase in the state

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16 22 tax or the imposition of new taxes, increased rates on
 16 23 existing taxes, or otherwise, and if the aggregate of the
 16 24 estimated revenues, plus estimated balances in the treasury,
 16 25 is greater than the recommended appropriations for the ensuing
 16 26 fiscal year or years, the governor shall make recommendations
 16 27 in reference to the application of the surplus to the
 16 28 reduction of debt or otherwise, to the reduction in taxation,
 16 29 or to such other action as in the governor's opinion is in the
 16 30 interest of the public welfare.

16 31 PART II

16 32 RECOMMENDED APPROPRIATIONS. Part II shall present in
 16 33 detail for the **each** ensuing fiscal year of the biennium the
 16 34 governor's recommendations for appropriations to meet the
 16 35 expenditure needs of the government from each general class of
 17 1 funds, in comparison with actual expenditures for each of the
 17 2 purposes during the last completed fiscal year and estimated
 17 3 expenditures for the year in progress, classified by
 17 4 departments and establishments and indicating for each the
 17 5 appropriations recommended for:
 17 6 1. Meeting the cost of administration, operation, and
 17 7 maintenance of the departments and establishments.
 17 8 2. Appropriations for meeting the cost of land, public
 17 9 improvements, and other capital outlays in connection with the
 17 10 departments and establishments.
 17 11 Each item of expenditure, actual or estimated, and
 17 12 appropriations recommended for administration, operation, and
 17 13 maintenance of **each department** or establishment shall be
 17 14 supported by detailed statements showing the actual and
 17 15 estimated expenditures and appropriations classified by
 17 16 objects according to a standard scheme of classification to be
 17 17 prescribed by the director.

17 18 PART III

17 19 APPROPRIATION BILLS. Part III shall include a draft or

CODE: Amends language on the submission of budget detail requiring detail be provided on a biennial basis.

CODE: Amends language on the submission of budget

17 20 drafts of appropriation bills having for their purpose to give
 17 21 legal sanction to the appropriations recommended to be made in
 17 22 Parts I and II. The appropriation bills shall indicate the
 17 23 funds, general ~~or~~ special, from which the appropriations shall
 17 24 be paid, but the appropriations need not be in greater detail
 17 25 than to indicate the total appropriation to be made for both
 17 26 of the following:

17 27 1. Administration, operation, and maintenance of each
 17 28 department and establishment for ~~the each~~ fiscal year of the
 17 29 biennium.

17 30 2. The cost of land, public improvements, and other
 17 31 capital outlays for each department and establishment,
 17 32 itemized by specific projects or classes of projects of the
 17 33 same general character.

17 34 Sec. 506. Section 8.22A, unnumbered paragraph 3, Code
 17 35 1991, is amended to read as follows:

18 1 By December ~~15, 1986 and each succeeding year~~ the
 18 2 conference shall agree to a revenue estimate for ~~the each of~~
 18 3 ~~the two ensuing~~ fiscal ~~year beginning the following July 1~~
 18 4 ~~years.~~ The estimate shall be used by the governor in the
 18 5 preparation of the budget message under section 8.22 and by
 18 6 the ~~legislature~~ general assembly in the budget process..

18 7 Sec. 507. Section 8.23, Code Supplement 1991, is amended
 18 8 to read as follows:

18 9 8.23 ANNUAL AND BIENNIAL DEPARTMENTAL ESTIMATES.
 18 10 On or before September 1, prior to each legislative
 18 11 session, all departments and establishments of the government
 18 12 shall transmit initial budget information to the director, ~~on~~
 18 13 ~~blanks to be furnished by the director, estimates of their~~
 18 14 ~~expenditure requirements, including every proposed~~
 18 15 ~~expenditure,~~ for each of the ensuing fiscal ~~year,~~ classified
 18 16 ~~so as to distinguish between expenditures estimated for~~
 18 17 ~~administration, operation, and maintenance, and the cost of~~
 18 18 ~~each project involving the purchase of land or the making of a~~
 18 19 ~~public improvement or capital outlay of a permanent character,~~

bills from an annual to biennial basis.

CODE: Amends language on the Revenue Estimating Conference (REC). Requires the REC to provide an estimate for a two-year period and requires the Governor and the General Assembly to use the revenue estimates in budget preparation.

CODE: Amends language on the submission of department estimates and budgets from an annual to biennial basis. Allows the Legislative Fiscal Bureau (LFB), in consultation with the DOM, to establish the information required from departments and develop budget forms. The budget forms may include a program-based budget system.

18 20 ~~together with supporting data and explanations as called for~~
 18 21 ~~by the director~~ years of the biennium or for the second fiscal
 18 22 year of the biennium. Requirements of the initial budget
 18 23 information shall be specified by the legislative fiscal
 18 24 bureau. The legislative fiscal bureau shall consult with the
 18 25 department of management in developing budget forms. The
 18 26 requirements shall include but are not limited to a program-
 18 27 based budget system, and budget forms and reporting formats.
 18 28 The specifications developed by the legislative fiscal bureau
 18 29 are subject to approval by the legislative fiscal committee of
 18 30 the legislative council. The budget estimates information
 18 31 shall include for those agencies which pay for energy directly
 18 32 a line item for energy expenses itemized by type of energy and
 18 33 location. ~~The estimates of expenditure requirements shall be~~
 18 34 ~~based upon seventy five percent of the funding provided for~~
 18 35 ~~the current fiscal year accounted for by program reduced by~~
 19 1 ~~the historical employee vacancy factor in form specified by~~
 19 2 ~~the director and the remainder of the estimate of expenditure~~
 19 3 ~~requirements prioritized by program.~~ The estimates budget
 19 4 information shall be accompanied with by performance measures
 19 5 for evaluating the effectiveness of the program. If a
 19 6 department or establishment fails to submit estimates the
 19 7 budget information within the time specified, the governor
 19 8 shall cause estimates to be prepared for that department or
 19 9 establishment as in the governor's opinion are reasonable and
 19 10 proper. The director shall furnish standard budget request
 19 11 forms to each department or agency of state government.
 19 12 On or before November 15 all departments and establishments
 19 13 of government and the judicial department shall transmit to
 19 14 the department of management and the legislative fiscal bureau
 19 15 the final estimates of their receipts and expenditure
 19 16 requirements from federal or other nonstate grants, receipts,
 19 17 and funds for the ensuing fiscal year. The transmittal shall
 19 18 include the names of the grantor and the grant or the source
 19 19 of the funds, the estimated amount of the funds, and the.
 19 20 planned expenditures and use of the funds. The format of the
 19 21 transmittal shall be specified by the legislative fiscal

19 22 bureau.

19 23 Sec. 508. Section 8.24, Code 1991, is amended to read as
19 24 follows:

19 25 8.24 ANNUAL AND BIENNIAL ESTIMATE OF INCOME.

19 26 On or before October 1, next prior to each legislative
19 27 session, the director shall prepare an estimate of the total
19 28 income of the government for each of the two ensuing fiscal
19 29 ~~year~~ years of the biennium or for the second fiscal year of
19 30 the biennium, in which the several items of income shall be
19 31 listed and classified according to sources or character, and
19 32 departments or establishments producing the funds, and brought
19 33 into comparison with the income actually received during the
19 34 last completed fiscal year and the estimated income to be
19 35 received during the fiscal year in progress.

CODE: Amends language on the estimation of income from an annual to biennial basis.

20 1 Sec. 509. Section 8.25, Code 1991, is amended to read as
20 2 follows:

20 3 8.25 TENTATIVE BUDGET.

20 4 Upon the receipt of the budget information and the
20 5 estimates of expenditure requirements called for by section
20 6 8.23 and the preparation of the estimates of income called for
20 7 by section 8.24 and not later than December 1, next
20 8 succeeding, the director of the department of management,
20 9 ~~hereinabove provided for, shall~~ cause to be prepared a
20 10 tentative budget conforming as to scope, contents and
20 11 character to the requirements of section 8.22 and containing
20 12 the budget information and the estimates of expenditures and
20 13 revenue as called for by sections 8.23 and 8.24, which
20 14 tentative budget shall be transmitted to the governor.

CODE: Amends language on the preparation and transmission of the tentative budget.

20 15 Sec. 510. Section 8.27, Code 1991, is amended to read as
20 16 follows:

20 17 8.27 PREPARATION OF BUDGET.

20 18 ~~Following the inauguration~~ If the governor is reelected to
20 19 a successive term, the governor shall ~~proceed to~~ continue with
20 20 the formulation of the budget provided for by sections 8.21

CODE: Amends language pertaining to the preparation of the Governor's budget. Specifies that if the Governor is newly elected, the Governor's budget recommendations are due no later than the date which the document is delivered to the printer.

PG LN

Senate File 2373

Explanation

20 21 and 8.22. However, if the novernor-elect did not hold office
 20 22 on January 1 prior to inauguration, the governor's budget
 20 23 document and records required by section 8.35A, subsection 2,
 20 24 shall be submitted no later than the date the document is
 20 25 delivered to the printer.

20 26 Sec. 511. Section 8.30, Code 1991, is amended to read as
 20 27 follows:

20 28 8.30 **AVAILABILITY OF APPROPRIATIONS.**

20 29 The appropriations made are not available for expenditure
 20 30 until allotted as provided for in section 8.31. All
 20 31 appropriations are declared to be maximum and proportionate
 20 32 appropriations, the Purpose being to make the appropriations
 20 33 payable in full in the amounts named if the estimated budget
 20 34 resources during ~~the~~ each fiscal year of the fiscal biennium
 20 35 for which the appropriations are made, are sufficient to pay
 21 1 all of the appropriations In full. The governor shall
 21 2 restrict allotments only to prevent an overdraft or deficit in
 21 3 any fiscal year for which appropriations are made.

CODE: Amends language pertaining to the availability
 of appropriations from an annual to a biennial basis.

21 4 Sec. 512. Section 8.35A, subsection 2, Code 1991, is
 21 5 amended **to** read as follows:

21 6 2. Commencing September 1, the director shall provide
 21 7 weekly budget tapes in the form and level of detail requested
 21 8 by the legislative fiscal bureau reflecting finalized agency
 21 9 budget requests for the following fiscal year as submitted to
 21 10 the governor. The director shall transmit all agency requests
 21 11 in final form to the legislative fiscal bureau by November 15.
 21 12 ~~Final~~ Except as otherwise provided for a newly elected
 21 13 governor pursuant to section 8.27, final budget records
 21 14 containing the governor's recommendation, proposed legislative
 21 15 package, and final agency requests shall be transmitted to the
 21 16 legislative fiscal bureau by January 1 ~~or no later than the~~
 21 17 ~~date the governor's budget document is delivered to the~~
 21 18 ~~printer.~~ The governor's recommendation included on this
 21 19 record shall be considered confidential by the legislative
 21 20 fiscal bureau until it is made public ~~by~~ the governor. The

CODE: Amends language pertaining to the provision of
 budget tapes to the **LFB**. Changes the date of final
 agency requests from the date that the Governor's
 budget is transferred to the printer to January 1.

21 21 legislative fiscal bureau shall use this data in the
 21 22 preparation of information for the legislative appropriation
 21 23 process.

21 24 Sec. 513. Section 8.37, Code 1991, is amended to read as
 21 25 follows:

21 26 8.37 FISCAL TERM BIENNIUM.

21 27 The fiscal ~~term~~ biennium of the state ends on the thirtieth
 21 28 day of June in each odd-numbered year, and the succeeding
 21 29 fiscal ~~term~~ biennium begins on the day following.

CODE: Amends the language specifying a fiscal term.
 Changes the language from a fiscal term to a
 biennium.

21 30 Sec. 514. Section 8.41, subsection 2, Code 1991, is
 21 31 amended to read as follows:

21 32 2. Federal funds deposited in the state treasury as
 21 33 provided in subsection 1 shall either be included as part of
 21 34 the governor's budget required by section 8.22 or shall be
 21 35 included in a separate recommendation made by the governor to
 22 1 the general assembly. If federal funds received in the form
 22 2 of block grants or categorical grants have not been included
 22 3 in the governor's budget for the current fiscal year or
 22 4 biennium because of time constraints or because a budget is
 22 5 not being submitted for the ~~next fiscal~~ second year of a
 22 6 fiscal biennium, the governor shall submit a supplemental
 22 7 statement to the general assembly listing the federal funds
 22 8 received and including the same information for the federal
 22 9 funds required by section 8.22, part 1, subsection 2,
 22 10 paragraph e, for the statement of federal funds in the
 22 11 governor's budget.

CODE: Amends language 'on federal funds from an
 annual basis to a biennium.

22 12 Sec. 515. APPLICABILITY. This division applies to the
 22 13 fiscal period beginning July 1, 1993, and ending June 30,
 22 14 1995, and succeeding fiscal bienniums. However, the program-
 22 15 based budget System shall be implemented with the fiscal
 22 16 period beginning July 1, 1995, except for the budgets of the
 22 17 Iowa department of public health and the department of
 22 18 economic development which shall begin the program-based
 22 19 budget system with the fiscal period beginning July 1, 1993.

Applicability dates.

PG LN	Senate File 2373	Explanation
22 20 22 21 22 22 22 23 22 24	The program-based budget system shall include, but is not limited to, stating the strategic plan required by section 8.53 in terms of desired outcomes, proposals for resource allocation, and performance measures of past and future outcomes.	
22 25 22 26	SF 2373 jp/cc/26	

**EXECUTIVE SUMMARY
FOSTER AND SHELTER CARE BILL**

SENATE FILE 2385

**FOSTER CARE REVIEW BOARD
STATE ADMINISTRATOR**

*Requires that the State Foster Care Review Board use up to **\$50,000** of the funds appropriated for conducting foster care reviews in the Sixth and Eighth Judicial Districts to fund an administrator for the Board. House File 2455 appropriates **\$132,000** for conducting these reviews. The State Board is required to first use any federal funds received by the Department of Human Services (DHS) and transferred to the State Board.

**COUNTY LIABILITY FOR FOSTER
CARE COSTS**

- Amends a provision in HF 2480, which requires that counties pay for the portion of the shelter care cost which exceeds the statutory reimbursement maximum of **\$75.11**. Language in HF 2452 limiting the counties obligation to excess costs in publicly owned facilities is repealed. The amendment is estimated to result in additional annual costs to counties of **\$1.0** million.
- Deletes a provision in HF 2480 which requires that, effective July 1, 1993, group foster care providers be reimbursed at **100.0%** of the group foster care maintenance costs, not to exceed the statutory reimbursement maximum of **\$75.11**.

APPROPRIATION ADJUSTMENTS

	<u>BILL NUMBER</u>	<u>PAGE</u>
Appropriations Adjustments Bill	SF 2116	793
FY 1992 Adjustments & Salaries Bill	SF 2367	826

**EXECUTIVE SUMMARY
APPROPRIATIONS ADJUSTMENTS BILL**

SENATE FILE 2116

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

NET EFFECT

\$2.6 MILLION REDUCTION

**DEPARTMENT OF HUMAN
SERVICES (DHS)**

**DEPARTMENT OF CORRECTIONS
(DOC)**

**DEPARTMENT OF INSPECTIONS
AND APPEALS (DIA)**

**RACING AND GAMING
COMMISSION (RGC)**

**DEPARTMENT OF GENERAL
SERVICES (DGS)**

DEPARTMENT OF JUSTICE (DOJ)

ITEM VETO REDUCTIONS

- *The sales tax on services imposed in this bill was increased from 4.0% to 5.0% by SF 2393, the Second Extraordinary Session Bill.*
- Decreases the FY 1992 General Fund appropriations by \$44.0 million and appropriates \$40.6 million from the General Fund for a net decrease of \$3.4 million to the General Fund in FY 1992.
- Decreases the FY 1992 General Fund appropriations by \$2.6 million (0.27%) across-the-board. (Page 1, Line 5)
- * Appropriates \$40.4 million from the General Fund to the DHS for FY 1992. The supplemental appropriations are necessary due to increased caseloads and restoration of the 3.25% across-the-board reductions. (Page 3, Line 23)
- Appropriates \$122,000 to the DOC from the General Fund for Phase I and Phase II lease-purchase agreements to replace the funds lost to the 3.25% reduction. (Page 4, Line 25)
- Appropriates \$100,000 to the DIA from the Road Use Tax Fund (RUTF) to pay salary adjustments to administrative law judges. (Page 5, Line 14)
- Appropriates \$50,000 to the RGC from the General Fund for the hiring of 2.0 FTE positions to increase riverboat regulation. (Page 5, Line 24)
- Appropriates \$375,000 from the RUTF for the removal of the Court Avenue Bridge. (Page 5, Line 34)
- * Appropriates \$130,000 to the DOJ from the General Fund for the enforcement of odometer fraud laws. (Page 6, Line 8) *This item was vetoed by the Governor.*
- Reduces the \$250,000 appropriation from the Soil Conservation Division of the Department of Agriculture and Land Stewardship due to the Governor's item veto of intent language. (Page 7, Line 22)
- Reverts the unobligated funds to the General Fund (\$2.0 million) from the Iowa Communications Network due to the Governor's item veto of intent language. (Page 7, Line 31)

EXECUTIVE SUMMARY APPROPRIATIONS ADJUSTMENTS BILL

SENATE FILE 2116

STATE AID TO EDUCATION

*Reduce the **K-12** enrollment advances from the FY **1992** level, based on the percent **increase from** the budget enrollment, reducing the budget by **\$6.0** million for FY **1992**. (Page **8**, Line **35**)

• Requires the Personal Property and Livestock **Tax** Credit payments **be** paid to school districts on July **15** of the subsequent fiscal year. This delays one of the FY **1992** payments to FY **1993**, saving the General Fund **\$35.0** million in FY **1992**. (Page **9**, Line **17**)

TAX AND OTHER CODE CHANGES

-Changes the registration fee for multipurpose vehicles from a rate of **\$75** for the first **5** model years and **\$55** for each succeeding year to a rate which is equal to **1.0%** of the vehicle's value plus **40 cents** for each **100** pounds. This is estimated to generate **\$1 1.0** million annually to the RUTF. (Page **10**, Line **18**)

• Imposes the **4.0%** sales and services tax on industrial and residential **commercial** solid waste collection and disposal services effective April **1, 1992**. This is estimated to increase General Fund revenue by **\$1.0** million in FY **1992** and by **\$4.0** million in FY **1993**. (Page **12**, Line **35**)

• Imposes the **4.0%** sales and services tax on consultant **services**, dating **services**, sign construction and installation, storage of household **goods**, mini-storage, **swimming pool maintenance**, taxidermy, short-term rental of aircraft, and non-residential commercial sewage **charges**. This is estimated to increase General Fund revenue by **\$1.3** million in FY **1992** and by **\$5.2** million in FY **1993**. (Page **14**, Line **9**)

HEALTH INSURANCE RESERVE TRANSFER TO GENERAL FUND

• Requires **General** Fund cash balances **be** available to pay obligations of the Health Insurance Reserve Fund. **An** amount of **\$6.0** million **was** transferred to the General Fund **from** the Reserve Fund in FY **1992**. (Page **17**, Line **17**)

HIGHWAY PATROL FTE POSITIONS/ DPS CONSOLIDATION

*Requires the Departments of Public Safety (DPS), Personnel, **and Management** to fill the **21.0** vacant **FTE** trooper positions in the Iowa Highway Patrol as **soon as** feasible from the RUTF. (Page **18**, Line **7**)

• Consolidates the Communications Division of the DPS with the Division of Highway Safety and Uniformed Force, **and** appropriates **\$3.0** million **from** the RUTF for radio communication purposes. This RUTF appropriation was previously made from the General Fund. **The** **\$3.0** million appropriation **was** deappropriated. (Page **18**, Line **17**)

RURAL COMMUNITY 2000 FUNDS FOR HOME PROGRAM

• Permits the Director of the Department of Economic Development to **use** unallocated **repayments from** the Rural Community **2000** Revolving Fund **for administration** of the **new** federally funded HOME Program. (Page **22**, Line **6**)

**EXECUTIVE SUMMARY
APPROPRIATIONS ADJUSTMENTS BILL**

SENATE FILE 2116

GOVERNOR'S VETOES

- The Governor vetoed language exempting the Legislative Branch ~~from the \$2.6 million~~ across-the-board reduction since he feels that the Legislature should ~~share~~ in the balancing of the State budget. (Page 1, Line 3)
- The Governor vetoed language which requires the Executive Branch to ~~reduce~~ expenses in specific ways to avoid the elimination of employees due to the Executive Branch's jurisdiction over these decisions. (Page 3, Line 8)
- The Governor vetoed the \$60,000 supplemental appropriation to the Interstate Grain Marketing Commission stating that this appropriation should be treated ~~no~~ differently than the other State appropriations which were reduced due to the 3.25% across-the-board reductions. (Page 5, Line 4)
- The Governor vetoed the \$130,000 supplemental appropriation to the DOJ for the ~~enforcement~~ of odometer fraud laws due to the current fiscal condition of the State. (Page 6, Line 9)
- The Governor vetoed language which requires the Executive Branch to give ~~two-weeks~~ notice prior to the transfer of funds to fully fund the supplemental appropriations. stating that ~~this~~ would ~~cause an~~ unnecessary delay in the implementation of ~~the~~ across-the-board reduction which applies to the appropriation ~~base~~ after all other Legislative and Executive Branch reductions have ~~been~~ effectuated. (Page 6, Line 33)
- The Governor vetoed language which strikes the General Fund appropriation for ~~radio~~ communications, with the intent that it ~~be replaced~~ with an appropriation ~~from~~ the RUTF. He feels that it is necessary to retain the General Fund appropriation as a vehicle ~~for receiving the~~ reimbursement. (Page 20, Line 33)

Senate File 2116

Senate File 2116 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
6	17	108	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
6	25	109	Nwthstnd	Sec. 8.33	Non-Reversion of Funds
6	33	110	Nwthstnd	Sec. 8.39	Non-Transfer of Funds
7	32	202	Nwthstnd	Sec. 18.137	Reversion of State Communications Network Funds
8	12	301	Amends	Sec. 11.6(1) Code Supplement 1991	Technical Correction
8	35	302	Adds	Sec. 257.13	Reduces Enrollment Advances
9	17	303	Amends	Sec. 257.16 Code Supplement 1991	Personal Property Tax Credit
10	1	304	Nwthstnd	Sec. 442.26	Personal Property Tax Credit
10	18	401	Amends	Sec. 321.109(1)	Multipurpose Vehicle Fees
11	19	402	Amends	Sec. 321.124(3)	Multipurpose Vehicle Fees
12	29	403	Adds	Sec. 422.42	Non-Residential Solid Waste
12	35	404	Adds	Sec. 422.43 Code Supplement 1991	Tax on Solid Waste Collection
14	9	405	Amends	Sec. 422.43(11)	Sales and Services Tax
15	19	406	Adds	Sec. 422.43(11) Code Supplement 1991	Defines Consulting Services
15	35	407	Amends	Sec. 422.45(2) Code Supplement 1991	Sales and Services Tax
16	9	408	Amends	Sec. 422.45(5) Code Supplement 1991	Sales and Services Tax
17	1	409	Amends	Sec. 422.45(20) Code Supplement 1991	Sales and Services Tax
17	17	410	Amends	Sec. 1103, Chapter 260 1991 Iowa Acts	Insurance Reserve and Operating Funds
17	27	411	Amends	Sec. 19, Chapter 266 1991 Iowa Acts	Health Insurance Reserve Fund

Page #	Line #	Bill Section	Action	Code Section Changed	Description
19	7	503	Amends	Sec. 80.36	Technical Correction
19	15	504	Amends	Sec. 97A.1(6)	Technical Correction
19	25	505	Amends	Sec. 97A.3(1)	Technical Correction
20	6	506	Amends	Sec. 97A.4	Technical Correction
				Code Supplement 1991	
20	23	507	Amends	Sec. 97A.6(7c)	Technical Correction
				Code Supplement 1991	
20	33	508	Repeals	Sec. 503(2), Chapter 268 1991 Iowa Acts	Communication Division's Appropriation
21	2	601	Amends	Sec. 301, Chapter 267, 1991 Iowa Acts	Rural Resource Program
21	13	602	Amends	Sec. 301, Chapter 267 1991 Iowa Acts	Federal Procurement Office
21	25	603	Adds	Sec. 301, Chapter 267 1991 Iowa Acts	Non-Reversion of Funds
21	33	604	Amends	Sec. 17, Chapter 269 1991 Iowa Acts	Federal Block Grants
22	6	605	Adds	Sec. 15.287 Code Supplement 1991	Revolving Fund Restrictions

1 1 DIVISION I
1 2 ADDITIONAL REDUCTIONS

1 3 Section 100. ADDITIONAL REDUCTIONS OF FISCAL YEAR 1991-
1 4 1992 APPROPRIATIONS.

1 5 1. After applying the reduction pursuant to executive
1 6 order number 42, moneys appropriated from the general fund of
1 7 the state for the fiscal year beginning July 1, 1991, by the
1 8 Seventy-fourth General Assembly, 1991 Session, and standing
1 9 limited and unlimited appropriations from the general fund of
1 10 the state for the fiscal year beginning July 1, 1991, are
1 11 reduced by \$2,600,000. However, moneys appropriated from the
1 12 general fund of the state for the fiscal year beginning July
1 13 1, 1991, shall not be reduced if the appropriation is any of
1 14 the following:

1 15 a. Made to the department of human services for programs
1 16 as delineated in subsection 4, to the department of
1 17 corrections as specified in subsection 5, to the office of the
1 18 state public defender as specified in subsection 6, for
1 19 property tax replacement or reimbursement as specified in
1 20 subsection 7, and to school corporations as specified in
1 21 subsection 8.

1 22 [b. Made pursuant to section 2.12.] VETOED
1 23 c. Made to the judicial branch of the government.

1 24 2. The \$2,600,000 reduction in appropriations in
1 25 subsection 1 shall be carried out uniformly and
1 26 proportionately in the manner specified in section 8.31,
1 27 except as provided in subsections 4 through 8, based upon the
1 28 appropriated amounts after applying the reduction pursuant to
1 29 executive order number 42, other reduction3 in this Act, and
1 30 other executive branch reductions. Upon implementing the
1 31 reduction specified in subsection 1, the department of
1 32 management shall submit a report to the chairpersons and
1 33 ranking members of the appropriations committees of each house
1 34 and to the legislative fiscal bureau detailing how the

General Fund reduction of \$2.6 million for all moneys appropriated for FY 1992 by the 74th General Assembly, 1991 Session, except for the following:

1. Department of Human Services (DHS) entitlement programs
2. Department of Corrections (DOC) Phase 1 and II lease-purchase agreements
3. Office of the State Public Defender
4. Property tax replacement or reimbursement
5. School corporations
6. Legislative Branch
7. Judicial Branch

VETOED: The Governor vetoed language exempting the Legislative Branch from the \$2.6 million across-the-board reduction since he feels that the Legislature should share in the balancing of the State budget.

Requires the appropriations to be reduced uniformly and proportionately after the 3.25% reduction, other reductions in this Act, and other Executive Branch reductions. Requires the Department of Management (DOM) to report to specified members of the General Assembly and the Legislative Fiscal Bureau on how the reduction was implemented.

NOTE: The reductions in Section 1 due to the \$2.6 million across-the-board reduction are in addition to the 3.25% reduction.

1 35 reduction in subsection 1 was implemented.

2 1 3. Moneys which become available as a result of the
 2 2 reduction under subsection 1 shall revert to the general fund
 2 3 of the state on the effective date of this section.

Requires the funds which become available due to the reduction to revert to the General Fund on the effective date of this section.

2 4 4. The appropriation reduction in subsection 1 shall not
 2 5 be applied to reduce the appropriation allotments made in 1991
 2 6 Iowa Acts, chapter 267, division I and in section 101 of this
 2 7 Act for any of the following department of human services
 2 8 programs: aid to dependent children under chapter 239,
 2 9 including the payment standard, emergency assistance, medical
 2 10 assistance under chapter 249A, including the medically needy
 2 11 program, other optional services and eligibility groups,
 2 12 enhanced services, and medical contracts, enhanced services
 2 13 and enhanced services county payment, state supplementary
 2 14 assistance, child day care assistance, transitional
 2 15 assistance, JOBS program, state juvenile institutions, foster
 2 16 care, home-based services, community-based programs, block
 2 17 grant supplementation, court-ordered services provided to
 2 18 juveniles, Iowa veterans home, state hospital-schools, state
 2 19 mental health institutes, family support subsidy program,
 2 20 special needs grants, and field operations.

Exempts 26 DHS budget units from the reduction. Budget units exempted include: Aid to Families with Dependent Children (AFDC), Promise Jobs, Medical Assistance, State Supplementary Assistance, Enhanced Mental Health/Mental Retardation/Developmental Disabilities (MH/MR/DD) Services, all 9 DHS Institutions, Foster Care, Court-Ordered Services, and Field Operations from the across-the-board reduction.

2 21 5. Appropriations made to the department of corrections in
 2 22 1991 Iowa Acts, chapter 267, section 404, subsection 1, for
 2 23 correctional facilities, in 1991 Iowa Acts, chapter 267,
 2 24 section 405, subsections 5 and 6 and in section 102 of this
 2 25 Act for annual payments relating to prison expansion, and in
 2 26 1991 Iowa Acts, chapter 267, section 406, subsection 1,
 2 27 paragraphs a through i for the first through the eighth
 2 28 judicial district departments of correctional services shall
 2 29 not be reduced under subsection 1.

Exempts the 8 prisons, the lease-purchase agreements, 8 Community Based Corrections (CBC) District Departments, and the CBC Statewide Account from the across-the-board reduction.

2 30 6. Appropriations made to the office of the state public
 2 31 defender in 1991 Iowa Acts, chapter 268, section 407,
 2 32 subsection 1, paragraph b, for indigent court-appointed

Exempts Indigent Defense from the across-the-board reduction.

2 33 attorney fees shall not be reduced under subsection 1.

2 34 7. Appropriations made in section 405A.8 for personal
2 35 property tax replacement, section 425.1, for homestead tax
3 1 credit, section 425.39, for extraordinary property tax credit
3 2 and reimbursement, and section 426.1 for agricultural land tax
3 3 credit shall not be reduced under subsection 1.

Exempts the appropriations for Personal Property Tax Replacement, Homestead Credit, Extraordinary Property Tax Credit, and the Agricultural Land Tax credit from the across-the-board reduction.

3 4 8. Appropriations made to school corporations in chapter
3 5 257 for state aid to school districts and chapter 286A for
3 6 state aid to area schools shall not be reduced under
3 7 subsection 1.

Exempts School Foundation Aid, Enrollment Advances, Instructional Support, and community colleges from the across-the-board reduction.

3 8 [9. In implementing the appropriation reduction required in
3 9 subsection 1, the departments and agencies of state government
3 10 shall not eliminate employee positions unless each of the
3 11 following means of achieving the reduction have already been
3 12 implemented in the order specified and are insufficient to
3 13 achieve the required reduction: deferral or elimination of
3 14 travel, equipment purchases or nonessential expenses, and
3 15 furlough of workers earning more than \$40,000 annually. If
3 16 the preceding means have been implemented and are insufficient
3 17 to achieve the required reduction so that elimination of
3 18 employee positions is the only means remaining available, then
3 19 the elimination of positions shall first apply to middle
3 20 management staff consistent with the recommendations of the
3 21 governor's committee on government spending reform.]

VETOED

Requires the Executive Branch in the reduction process to not eliminate employees unless the following steps have been taken: deferral or elimination of travel, equipment purchases or nonessential expenses, and furlough of employees earning more than \$40,000 per year. If employees must be reduced, the elimination will first apply to middle management staff as per the Governor's Committee on Government Spending Reform recommendations.

VETOED: The Governor vetoed language which requires the Executive Branch to reduce expenses in specific ways to avoid the elimination of employees due to the Executive Branch's jurisdiction over these decisions.

3 22 SUPPLEMENTALS

3 23 Department of Human Services

3 24 Sec. 101. SUPPLEMENTAL APPROPRIATIONS. There is
3 25 appropriated from the general fund of the state to the
3 26 department of human services for the fiscal year beginning
3 27 July 1, 1991, and ending June 30, 1992, to supplement the

3 28 appropriations made in 1991 Iowa Acts, chapter 267, division
 3 29 I, the following amounts, or so much thereof as is necessary,
 3 30 to be used for the purposes designated:

3 31 1. Aid to families with dependent children, in section
 3 32 101:
 3 33 \$ 4,306,161

General Fund supplemental appropriation to the DHS for the AFDC Program.

DETAIL: Average monthly caseloads are greater than the amounts upon which the legislative action was based. \$1.4 million of the supplemental appropriation reflects the caseload increases upon which the FY 1991 supplemental was based, while \$800,000 of the supplemental appropriation reflects caseload increases which have occurred since the end of the 1991 legislative session. Unemployed Parent caseloads are 152 cases (7.5%) higher, while Regular caseloads are 898 cases (2.7%) higher. The total cost of the increased caseloads is \$2.2 million. Child Support Recoveries are less than budgeted; the projected shortfall is \$611,000. The cost of restoring the 3.25% reduction is \$1.4 million.

3 34 2. Emergency assistance to families with dependent
 3 35 children to match federal funding for homeless prevention
 4 1 programs in section 102:
 4 2 \$ 375,000

General Fund supplemental appropriation to the DHS for the Emergency Assistance Program.

DETAIL: These dollars will be matched with an equal amount of federal funding. Emergency Assistance funds became available for eligible clients on November 1. The original \$500,000 General Fund appropriation, combined with \$500,000 in federal funding, was entirely spent in approximately 90 days. The Program served 2,403 families: 69.0% of the funds were spent on rent, rent deposits, or house payments, while 31.0% of the funds were spent on utilities, utility deposits, or heating equipment. All assistance is limited to \$500 per family, and applicants must show they have applied for all other

PG LN

Senate File 2116

Explanation

				types of assistance before they are eligible.
4 3	3. Medical assistance, in section 103:			General Fund supplemental appropriation to the DHS
4 4	.....	\$ 20,605,610		for the Medical Assistance Program.
				DETAIL: \$6.3 million of the supplemental appropriation reflect items which were not funded during the 1991 Legislative Session. These include caseload increases upon which the FY 1991 supplemental was based (\$3.8million), costs of clozapine (\$1.4 million), savings from utilization review (\$800,000), and costs of transplants (\$300,000). The cost of restoring the 3.25% reduction is \$7.7 million. Increases in utilization of services and greater numbers of eligibles account for \$11.5 million; this is offset by lower than expected cost reports for Intermediate Care Facilities, fewer Buy-In eligibles, and reduced transportation costs (\$-5.9 million).
				The amount of the supplemental appropriation does not include funding for the costs of court-ordered discontinuation of copayments on mandatory services. This amount is estimated to be \$1.0 million.
4 5	4. Medical contracts, in section 104:			General Fund supplemental appropriation to the DHS
4 6	.....	\$ 295,104		for Medical Contracts.
				DETAIL: \$200,000 of the supplemental appropriation reflects caseload increases upon which the FY 1991 Supplemental was based; these costs were not funded during the 1991 Legislative Session. The cost of restoring the 3.25% reduction is \$100,000.
				The amount of the supplemental appropriation does not include funding for costs related to increases in service utilization and the number of eligibles which

4 7 5. State supplementary assistance, in section 107:
 4 8 \$ 1,117,613

occurred since the end of the 1991 Legislative Session.

General Fund supplemental appropriation to the DHS for the State Supplementary Assistance Program.

DETAIL: The supplemental appropriation reflects actual caseloads upon which the FY 1991 supplemental was based (\$1.0 million). Restoration of the 3.25% reduction is \$600,000. This is offset by reduced costs associated with less privatization of county care facilities than had been projected (\$-600,000).

4 9 6. Child day care assistance, in section 109:
 4 10 \$ 230,883

General Fund supplemental appropriation to the DHS for the Child Day Care Assistance Program.

DETAIL: These funds were needed to restore the 3.25% across-the-board reduction.

4 11 7. Transitional child care assistance, in section 110:
 4 12 \$ 10,508

General Fund supplemental appropriation to the DHS for the Transitional Child Care Program.

DETAIL: These funds were needed to restore the 3.25% across-the-board reduction.

4 13 8. Foster care, in section 114:
 4 14 \$ 11,525,652

General Fund supplemental appropriation to the DHS for the Foster Care Program.

DETAIL: \$6.8 million of the supplemental appropriation reflects items which were not funded during the 1991 Legislative Session. These include caseload increases upon which the FY 1991 supplemental was based (\$2.3 million), savings from expanded family foster care (\$900,000) and savings from definition changes (\$200,000). the cost of services for 18 to 21 year olds (\$2.9 million), and the cost of 30 additional Enhanced Residential

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		Treatment beds (\$500,000). The cost of restoring the 3.25% reduction is \$1.7 million.
		Foster care caseloads have continued to increase. Family foster care has increased by 168 cases (9.0%), and the cost per case for all types of foster care has increased. The total cost of recent caseload increases is \$2.4 million. Federal funding has decreased by \$600,000. Detailed information on foster care caseloads and federal funding is available upon request from the Legislative Fiscal Bureau (LFB).
4 15	9. Home-based services, in section 116:	General Fund supplemental appropriation to the DHS for Home-based Services.
4 16	..... \$ 287,332	DETAIL: The supplemental appropriation reflects caseload increases upon which the 1991 supplemental was based.
4 17	10. Community-based programs, in section 117:	General Fund supplemental appropriation to the DHS for Community-based programs.
4 18	..... \$ 767,036	DETAIL: The supplemental appropriation reflects caseload increases upon which the 1991 supplemental was based.
4 19	11. a. State mental health institute at Cherokee, in	General Fund supplemental appropriation to the DHS for the State Mental Health Institute (MHI) at Cherokee.
4 20	section 121, subsection 1:	
4 21	..... \$ 158,485	DETAIL: These funds will be used to fund 7.5 FTE positions as a result of the reorganization of the MHIs.
4 22	b. State mental health institute at Independence, in	General Fund supplemental appropriation to the DHS for the State MHI at Independence.
4 23	section 121, subsection 3:	

4 24 \$ 758,139

DETAIL: These funds will be used to fund 12.0 FTE positions as a result of the reorganization of the MHIs.

4 25 Department of Corrections

4 26 Sec. 102. There is appropriated from the general fund of
 4 27 the state to the department of corrections for the fiscal year
 4 28 beginning July 1, 1991, and ending June 30, 1992, to
 4 29 supplement the appropriations made in 1991 Iowa Acts, chapter
 4 30 267, section 405, the following amounts, or so much thereof as
 4 31 is necessary, to be used for the purposes designated:

4 32 1. For annual payment relating to prison expansion, in
 4 33 subsection 5:
 4 34 \$ 20,340

General Fund supplemental appropriation to the Department of Corrections for the Phase I lease-purchase agreement.

DETAIL: The Legislature originally appropriated adequate funding to meet this lease-purchase obligation. Funding was reduced by the Governor's 3.25% across-the-board reduction. This lease-purchase obligation was authorized to fund the construction of correctional beds during the 1989 Legislative Session.

4 35 2. For annual payment relating to prison expansion, in
 5 1 subsection 6:
 5 2 \$ 102,156

General Fund supplemental appropriation to the DOC for the Phase II lease-purchase agreement.

DETAIL: The Legislature originally appropriated adequate funding to meet this lease-purchase obligation. Funding was reduced by the Governor's 3.25% across-the-board reduction. This lease-purchase obligation was authorized to fund the construction of correctional beds during the 1990 Legislative Session.

5 3 Interstate Compact on Agricultural Grain Marketing

5 4 [Sec. 103. There is appropriated from the general fund of
5 5 the state to the interstate agricultural grain marketing
5 6 commission for the fiscal year beginning July 1, 1991, and
5 7 ending June 30, 1992, to supplement the appropriation made in
5 8 1991 Iowa Acts, chapter 268, section 206, the following
5 9 amount, or so much thereof as is necessary, to be used for the
5 10 purpose designated:

5 11 For carrying out the duties of the commission under the
5 12 interstate compact as provided in chapter 183:

5 13 \$ 1,950]

VETOED

General Fund supplemental appropriation to the Interstate Agricultural Grain Marketing Commission.

DETAIL: The funds are necessary to make up for the Governor's 3.25% across-the-board reduction in the \$60,000 appropriation to the Commission for FY 1992.

VETOED: The Governor vetoed the supplemental appropriation to the Interstate Grain Marketing Commission since he feels that this appropriation should be treated no differently than the thousands of other State appropriations which were reduced due to the 3.25% across-the-board reductions.

5 14 Department of Inspections and Appeals

5 15 Sec. 104. There is appropriated from the road use tax fund
5 16 to the department of inspections and appeals for the fiscal
5 17 year beginning July 1, 1991, and ending June 30, 1992, to
5 18 supplement the appropriation made in 1991 Iowa Acts, chapter
5 19 268, section 414, the following amount, or so much thereof as
5 20 is necessary, to be used for the purposes designated:

5 21 For salaries, support, maintenance, and miscellaneous
5 22 purposes:

5 23 \$ 100,000

Road Use Tax Fund (RUTF) supplemental appropriation to the Appeals and Fair Hearings Division of the Department of Inspections and Appeals.

DETAIL: Supplemental funding is necessary to pay salary adjustments to administrative law judges. The bargaining agreement negotiated for the 2-year period beginning July 1, 1989 contained a reclassification for administrative law judges that allowed them a 2-step increase to be effective the second year of the contract (July 1, 1990). The reclassification was not funded in either FY 1991 or FY 1992 because it was not included in the salary adjustment bill. The Appeals and Fair Hearings Division was appropriated supplemental funding of \$60,000 from the RUTF for FY 1991.

5 24 Sec. 105. There is appropriated from the general fund of
5 25 the state to the racing and gaming commission of the

General Fund supplemental appropriation to the Racing and Gaming Commission (RGC) for riverboat regulation.

5 26 department of inspections and appeals for the fiscal year
 5 27 beginning July 1, 1991, and ending June 30, 1992, to
 5 28 supplement the appropriation made in 1991 Iowa Acts, chapter
 5 29 268, section 425, the following amount, or so much thereof as
 5 30 is necessary, to be used for the purposes designated:
 5 31 For salaries, support, maintenance, miscellaneous purposes,
 5 32 and for an increase of 2 full-time equivalent positions:
 5 33 \$ 50,000

DETAIL: This supplemental funding will allow the RGC to add 2.0 FTE positions to increase riverboat regulation. These 2 positions, in addition to a position to be transferred from racetracks, will bring the total stewards assigned to riverboats to 5 (1 per boat). These positions are necessary to monitor financial transactions and counting functions on the riverboats.

5 34 Department of General Services

5 35 Sec. 106. There is appropriated from the use tax revenues
 6 1 credited to the road use tax fund under section 423.24,
 6 2 subsection 1, paragraph c, to the department of general
 6 3 services for the fiscal year beginning July 1, 1991, and
 6 4 ending June 30, 1992, the following amount, or so much thereof
 6 5 as is necessary, to be used for the purpose designated:
 6 6 For the removal of the court avenue bridge:
 6 7 \$ 375,000

Appropriation from Use Tax receipts prior to deposit into the Road Use Tax Fund to the DGS for removal of the Court Avenue bridge.

DETAIL: The funding will allow demolition and removal of the bridge and landscaping of the ground surrounding the bridge. The supplemental appropriation does not fund replacement of the bridge.

6 8 Department of Justice

6 9 [Sec. 107. There is appropriated from the general fund of
 6 10 the state to the department of justice for the fiscal year
 6 11 beginning July 1, 1991, and ending June 30, 1992, the
 6 12 following amount, or so much thereof as is necessary, for the
 6 13 purpose designated:
 6 14 For expenses relating to the enforcement of odometer fraud
 6 15 laws:
 6 16 \$ 130,000]

VETOED

General Fund supplemental appropriation to the DOJ for the enforcement of odometer fraud laws.

DETAIL: This function was funded from the Motor Vehicle Fraud Fund prior to FY 1992. The Fund is no longer available to the DOJ.

VETOED: The Governor vetoed the supplemental appropriation to the DOJ for the enforcement of odometer fraud laws due to the current fiscal condition of the State.

6 17 Sec. 108. Notwithstanding section 8.33, unobligated and

CODE: Requires the General Fund supplemental

6 18 unencumbered moneys remaining on June 30, 1992, from the
 6 19 appropriations made for the fiscal year beginning July 1,
 6 20 1991, in section 105 shall not revert but shall be available
 6 21 for expenditure for which appropriated during the fiscal year
 6 22 beginning July 1, 1992, and any unobligated and unencumbered
 6 23 moneys remaining on June 30, 1993, from such appropriations
 6 24 shall revert on August 31, 1993.

appropriation to the RGC for riverboat regulation to
 not revert, but be available for FY 1993. Requires
 any unobligated and unencumbered moneys remaining on
 June 30, 1993 to revert on August 31, 1993.

6 25 **Sec. 109. NONREVERSION.** Notwithstanding section 8.33,
 6 26 unobligated and unencumbered moneys remaining on June 30,
 6 27 1992, from the appropriation to the prevention of disabilities
 6 28 policy council for the fiscal year beginning July 1, 1991, in
 6 29 1991 Iowa Acts, chapter 169, section 8, shall not revert to
 6 30 the general fund of the state but shall remain available for
 6 31 the purpose for which appropriated in the succeeding fiscal
 6 32 year.

CODE: Requires the General Fund supplemental
 appropriation to the Prevention of Disabilities
 Policy Council not revert, but be available for FY
 1993.

6 33 **Sec. 110.** Notwithstanding section 8.39, it is the intent
 6 34 of the general assembly that if funds are unavailable to
 6 35 implement the purposes of the supplemental appropriations for
 7 1 the 1991-1992 fiscal year made in this Act, the executive
 7 2 branch of government may make transfers of unexpended general
 7 3 fund appropriation balances to the general fund of the state
 7 4 during the 1991-1992 fiscal year. [At least two weeks before **VETOED**
 7 5 such transfers are made, the executive branch shall file a
 7 6 report with the appropriate joint appropriations subcommittee
 7 7 chairpersons, the chairpersons of appropriations committees,
 7 8 the executive council, and the legislative fiscal bureau.
 7 9 This report shall state the amount of each transfer, identify
 7 10 the agency affected, the effect on that agency, and the
 7 11 reasons for the transfer.]

CODE: States the intent of the Legislature that if
 funds are unavailable to fully fund the supplemental
 appropriations, the Executive Branch may transfer
 unexpended General Fund appropriation balances to the
 General Fund. Requires the Executive Branch, at
 least 2 weeks prior to the transfer, to report to the
 appropriate persons in the Legislative Branch on the
 specifics of the transfer.

VETOED: The Governor vetoed language which requires
 the Executive Branch to give two-weeks notice prior
 to the transfer of funds to fully fund the
 supplemental appropriations, stating that this would
 cause an unnecessary delay in the implementation of
 the across-the-board reduction which applies to the
 appropriation base after all other Legislative and
 Executive Branch reductions have been effectuated.

7 12 **Sec. 111. EFFECT OF APPROPRIATION REDUCTIONS.** The moneys
 7 13 appropriated to supplement the appropriations for the fiscal

Requires the FY 1992 supplemental appropriations to
 not be subject to the 3.25% across-the-board

7 14 year beginning July 1, 1991, and ending June 30, 1992, made in
 7 15 this division are not subject to the allotment reduction
 7 16 pursuant to executive order number 42. However, these
 7 17 supplemental appropriations shall be subject to reduction
 7 18 under section 100 of this Act to the extent not otherwise
 7 19 exempt under that section.

reductions. Requires the FY 1992 supplemental appropriations to be subject to the \$2.6 million across-the-board reduction unless specifically exempt.

7 20 DIVISION II
 7 21 REDUCTIONS

7 22 Department of Agriculture and Land Stewardship
 7 23 Sec. 201. The appropriation from the general fund of the
 7 24 state to the department of agriculture and land stewardship
 7 25 for the fiscal year beginning July 1, 1991, and ending June
 7 26 30, 1992, in 1991 Iowa Acts, chapter 268, section 201, is
 7 27 reduced, as a result of the governor's item veto in section
 7 28 201, by the following amount for the purpose designated:
 7 29 Soil conservation division, in subsection 6:
 7 30 \$ 250,000

General Fund reduction from the Department of Agriculture and Land Stewardship (DALs) Conservation Cost Share Program due to the Governor's item veto of intent language.

DETAIL: The intent language that was vetoed specified that \$250,000 of the amount appropriated for Soil Conservation Cost Share be used for a stream degradation pilot project in western Iowa. The original appropriation for the FY 1992 Soil Conservation Cost Share program is not to be reverted until September 30, 1995.

7 31 Iowa Communications Network

7 32 Sec. 202. Notwithstanding the nonreversion provision in
 7 33 section 18.137, the unobligated and unencumbered moneys
 7 34 remaining in the Iowa communications network fund of the
 7 35 amount appropriated, as a result of the governor's item veto
 8 1 of 1991 Iowa Acts, chapter 267, section 507, subsection 17,
 8 2 under section 18.137 to the fund for the fiscal year beginning
 8 3 July 1, 1991, and ending June 30, 1992, shall revert to the
 8 4 general fund of the state on the effective date of this Act.

CODE: General Fund reversion of \$2,000,000 from the Iowa Communications Network (ICN) due to the Governor's item veto of intent language.

DETAIL: The Legislature notwithstanding the FY 1991 standing appropriation to the ICN. The Governor vetoed the notwithstanding language. The \$5,000,000 standing appropriation was then law. In the Governor's veto message, the Governor stated that only \$3,000,000 would be needed in FY 1992.

8 5 Sec. 203. EFFECT OF APPROPRIATION REDUCTIONS. The

States that the reductions from the DALs Soil

PG LN	Senate File 2116	Explanation
8 6 8 7 8 8 8 9	reductions in appropriations for the fiscal year beginning July 1, 1991, and ending June 30, 1992, made in this division are in addition to the allotment reduction pursuant to executive order number 42.	Conservation Cost Share Program and from the ICN are in addition to the 3.25% across-the-board reductions.
8 10 8 11	DIVISION III STATE AID TO EDUCATION	
8 12 8 13 8 t4 8 15 8 16 8 17 8 18 8 19 8 20 8 21 8 22 8 23 8 24 8 25 8 26 8 27 8 28 8 29 8 30 8 31 8 32 8 33 8 34	<p>8 12 Sec. 301. Section 11.6, subsection 1, unnumbered paragraph</p> <p>8 13 1, Code Supplement 1991, is amended to read as follows:</p> <p>8 t4 The financial condition and transactions of all cities and</p> <p>8 15 city offices, counties, county hospitals organized under</p> <p>8 16 chapters 347 and 347A, memorial hospitals organized under</p> <p>8 17 chapter 37, entities organized under chapter 28E having gross</p> <p>8 18 receipts in excess of one hundred thousand dollars in a fiscal</p> <p>8 19 year, merged areas, area education agencies, and all school</p> <p>8 20 offices in school districts, shall be examined at least once</p> <p>8 21 each year, except that cities having a population of seven</p> <p>8 22 hundred or more but less than two thousand shall be examined</p> <p>8 23 at least once every four years, and cities having a population</p> <p>8 24 of less than seven hundred may be examined as otherwise</p> <p>8 25 provided in this section. The examination shall cover the</p> <p>8 26 fiscal year next preceding the year in which the audit is</p> <p>8 27 conducted. The examination of school offices shall include an</p> <p>8 28 audit of all school funds, the certified annual financial</p> <p>8 29 report, and the certified enrollment as provided in section</p> <p>8 30 257.11 <u>257.6</u>. Examinations of community colleges shall</p> <p>8 31 include an audit of eligible and noneligible contact hours as</p> <p>8 32 defined in section 286A.2. Eligible and noneligible contact</p> <p>8 33 hours and the certified enrollment shall be certified to the</p> <p>8 34 department of management.</p>	<p>CODE: Corrects the reference to certified enrollment from Section 257.11 to Section 257.6, <u>Code of Iowa</u>.</p>
8 35 9 1 9 2 9 3 9 4	<p>8 35 Sec. 302. Section 257.13, Code 1991, is amended by adding</p> <p>9 1 after unnumbered paragraph 1, the following new unnumbered</p> <p>9 2 paragraph:</p> <p>9 3 <u>NEW UNNUMBERED PARAGRAPH.</u> Notwithstanding the amount</p> <p>9 4 computed under the first paragraph, for the budget year</p>	<p>CODE: Reduces enrollment advances from the FY 1992 level, based on the percent increase from the budget enrollment, reducing the budget by \$5,980,740 from current law.</p>

9 5 beginning July 1, 1991, each school district shall receive an
 9 6 amount equal to the product of the applicable percentage times
 9 7 ninety-nine and one-half percent of the amount computed under
 9 8 the first paragraph based upon the following schedule:

9 9	Percent Increase		9 10	Applicable Percentage
9 10	in Enrollment			
9 11	1. Less than .5%			0%
9 12	2. .5%, but not			
9 13	more than 1%			25%
9 14	3. 1%. but not			
9 15	more than 3%			50%
9 16	4. More than 3%			75%

9 17 Sec. 303. Section 257.16, unnumbered paragraph 2, Code
 9 18 Supplement 1991, is amended to read as follows:
 9 19 All state aids paid under this chapter, unless otherwise
 9 20 stated, shall be paid in monthly installments beginning on
 9 21 September 15 of a budget year and ending on June 15 of the
 9 22 budget year and the installments shall be as nearly equal as
 9 23 possible as determined by the department of management, taking
 9 24 into consideration the relative budget and cash position of
 9 25 the state resources. However, an amount of state school
 9 26 foundation aid equal to the general allocation of the school
 9 27 district as determined under section 405A.2 and the amount of
 9 28 the tax credit for livestock pursuant to section 442.2,
 9 29 subsection 2, as it appeared in the 1987 Code, shall be paid
 9 30 to the school district on July 15 of the subsequent fiscal
 9 31 year, and the appropriation for this amount shall be made for
 9 32 the fiscal year during which the payment is made. However,
 9 33 the state aid paid to school districts under section 257.13
 9 34 shall be paid in monthly installments beginning on December 15
 9 35 and ending on June 15 of a budget year.

CODE: Specifies that the Personal Property and the Livestock Tax Credits shall be paid to school districts on July 15 of the subsequent fiscal year beginning in FY 1993.

DETAIL: Payments were made in the same manner under the old school finance formula. The new formula enacted in 1989 repealed the authority to delay the payments. Therefore, under current law, 2 payments of approximately \$35 million were to be made in FY 1992; the first on July 15 for FY 1991 obligations and the second during FY 1992. Only 1 payment was budgeted, so under current law, there is a \$35 million shortfall. This section delays the payment until FY 1993, for a savings of \$35 million in FY 1992.

10 1 Sec. 304. Notwithstanding the repeal of chapter 442 as of
 10 2 July 1, 1991, the provision of section 442.26 that requires an
 10 3 amount of school aid equal to the general allocation to a
 10 4 school district under section 405A.2 and the amount of tax

CODE: Specifies that the Personal Property and the Livestock Tax Credits shall be paid to school districts on July 15 of the subsequent fiscal year for FY 1991 and FY 1992.

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10 5 10 6 10 7 10 8	credit for livestock to be paid to school districts on July 15 of the subsequent fiscal year remains effective for the school budget year beginning July 1, 1990, and such amounts shall be paid to the school districts on July 15, 1991.	
10 9 10 10 10 11 10 12 10 13 10 14 10 15	Sec. 305. APPLICABILITY. Sections 301 and 303 of this division apply retroactively to school budget years beginning on or after July 1, 1991. Section 302 of this division applies retroactively to the school budget year beginning July 1, 1991, only and is repealed July 1, 1992. Section 304 of this division applies retroactively to the school budget year beginning July 1, 1990.	Specifies that the change made in Personal Property and Livestock Tax Credit payments to schools is legalized for FY 1992 forward. Specifies that the change in the enrollment advances is effective for FY 1992 only.
10 16 10 17	DIVISION IV TAX AND OTHER CODE CHANGES	
10 18 10 19 10 20 10 21 10 22 10 23 10 24 10 25 10 26 10 27 10 28 10 29 10 30 10 31 10 32 10 33 10 34 10 35 11 1 11 2 11 3	Sec. 401. Section 321.109, subsection 1, Code 1991, is amended to read as follows: 1. The annual fee for all motor vehicles including <u>multipurpose vehicles and</u> vehicles designated by manufacturers as station wagons, except motor trucks, motor homes, multipurpose vehicles , ambulances, hearses, motorcycles, and motor bicycles, shall be equal to one percent of the value as fixed by the department plus forty cents for each one hundred pounds or fraction thereof of weight of vehicle, as fixed by the department. The weight of a motor vehicle, fixed by the department for registration purposes, shall include the weight of a battery, heater, bumpers, spare tire, and wheel. Provided, however, that for any new vehicle purchased in this state by a nonresident for removal to the nonresident's state of residence the purchaser may make application to the county treasurer in the county of purchase for a transit plate for which a fee of ten dollars shall be paid. And provided, however, that for any used vehicle held by a registered dealer and not currently registered in this state, or for any vehicle held by an individual and currently registered in this state, when purchased in this state by a nonresident for removal to	CODE: Changes the registration fee for multipurpose vehicles from a rate of \$75 for the first 5 model years and \$55 for each succeeding year to a rate which is equal to 1.0% of the vehicles value plus 40 cents for each 100 pounds. DETAIL: It is estimated that this change will generate \$11.0 million annually to the Road Use Tax Fund.

11 4 the nonresident's state of residence, the purchaser may make
 11 5 application to the county treasurer in the county of purchase
 11 6 for a transit plate for which a fee of three dollars shall be
 11 7 paid. The county treasurer shall issue a nontransferable
 11 8 certificate of registration for which no refund shall be
 11 9 allowed; and the transit plates shall be void thirty days
 11 10 after issuance. Such purchaser may apply for a certificate of
 11 11 title by surrendering the manufacturer's or importer's
 11 12 certificate or certificate of title, duly assigned as provided
 11 13 in this chapter. In this event, the treasurer in the county
 11 14 of purchase shall, when satisfied with the genuineness and
 11 15 regularity of the application, and upon payment of a fee of
 11 16 ten dollars, issue a certificate of title in the name and
 11 17 address of the nonresident purchaser or bringing the same to
 11 18 the person entitled to the title as provided in this chapter.

11 19 Sec. 402. Section 321.124, subsection 3, Code 1991, is
 11 20 amended to read as follows:

11 21 3. The annual registration fee for motor homes and
 11 22 ~~multipurpose vehicles~~ is as follows:

11 23 a. For class A motor homes with a list price of eighty
 11 24 thousand dollars or more as certified to the department by the
 11 25 manufacturer, four hundred dollars for registration each year
 11 26 through five model years and three hundred dollars for each
 11 27 succeeding registration.

11 28 b. For class A motor homes with a list price of forty
 11 29 thousand dollars or more but less than eighty thousand dollars
 11 30 as certified to the department by the manufacturer, two
 11 31 hundred dollars for registration each year through five model
 11 32 years and one hundred fifty dollars for each succeeding
 11 33 registration.

11 34 c. For class A motor homes with a list price of twenty
 11 35 thousand dollars or more but less than forty thousand dollars
 12 1 as certified to the department by the manufacturer, one
 12 2 hundred forty dollars for the first five registrations and one
 12 3 hundred five dollars for each succeeding registration.

12 4 d. For class A motor homes with a list price of less

CODE: Changes the registration fee for multipurpose vehicles from a rate of \$75 for the first 5 model years and \$55 for each succeeding year to a rate which is equal to 1.0% of the vehicles value plus 40 cents for each 100 pounds.

12 5 than twenty thousand dollars as certified to the department by
 12 6 the manufacturer, one hundred twenty dollars for registration
 12 7 each year through five model years and eighty-five dollars for
 12 8 each succeeding registration.

12 9 e. For a class A motor home which is a passenger-
 12 10 carrying bus which has been registered at least five times as
 12 11 a motor truck and which has been converted, modified or
 12 12 altered to provide temporary living quarters, ninety dollars
 12 13 for registration each year through ten model years and sixty-
 12 14 five dollars for each succeeding registration. In computing
 12 15 the number of registrations, the registrations shall be
 12 16 cumulative beginning with the registration of the class A
 12 17 motor home as a motor truck prior to its conversion,
 12 18 modification, or alteration to provide temporary living
 12 19 quarters.

12 20 f. For class B motor homes, ninety dollars for
 12 21 registration each year through five model years and sixty-five
 12 22 dollars for each succeeding registration.

12 23 g. For class C motor homes, one hundred ten dollars for
 12 24 registration each year through five model years and eighty
 12 25 dollars for each succeeding registration.

12 26 ~~h. For multipurpose vehicles, seventy-five dollars for~~
 12 27 ~~registration each year through five model years and fifty-five~~
 12 28 ~~dollars for each succeeding registration.~~

12 29 Sec. 403. Section 422.42, Code 1991, is amended by adding
 12 30 the following new subsection:

12 31 NEW SUBSECTION. 17. Nonresidential commercial
 12 32 operations does not include apartment complexes, mobile home
 12 33 parks, or other rental operations where the primary purpose is
 12 34 for human habitation.

12 35 Sec. 404. Section 422.43, Code Supplement 1991, is amended
 13 1 by adding the following new subsection:

13 2 NEW SUBSECTION. 13. a. A tax of four percent is imposed
 13 3 upon the gross receipts from the sales, furnishing, or service
 13 4 of solid waste collection and disposal service.

CODE: Specifies that non-residential commercial
 solid waste is not taxable.

CODE: Imposes the 4.0% sales and services tax on
 solid waste collection and disposal services
 effective April 1, 1992.

DETAIL: General Fund revenues are estimated to

13 5 For purposes of this subsection, solid waste means
 13 6 garbage, refuse, sludge from a water supply treatment plant or
 13 7 air contaminant treatment facility, and other discarded waste
 13 8 materials and sludges, in solid, semisolid, liquid, or
 13 9 contained gaseous form, resulting from industrial,
 13 10 nonresidential commercial, mining, and agricultural
 13 11 operations, and from community activities, but does not
 13 12 include hazardous waste; animal waste used as fertilizer;
 13 13 earthen fill, boulders, rock; foundry sand used for daily
 13 14 cover at a sanitary landfill; sewage sludge; solid or
 13 15 dissolved material in domestic sewage or other common
 13 16 pollutants in water resources, such as silt, dissolved or
 13 17 suspended solids in industrial waste water effluents or
 13 18 discharges which are point sources subject to permits under
 13 19 section 402 of the federal Water Pollution Control Act,
 13 20 dissolved materials in irrigation return flows; or source,
 13 21 special nuclear, or by-product material defined by the federal
 13 22 Atomic Energy Act of 1954.
 13 23 A recycling facility that separates or processes recyclable
 13 24 materials and that reduces the volume of the waste by at least
 13 25 eighty-five percent is exempt from the tax imposed by this
 13 26 subsection if the waste exempted is collected and disposed of
 13 27 separately from other solid waste.
 13 28 b. A person who transports mixed municipal solid waste
 13 29 generated by that person or another person without
 13 30 compensation shall pay the tax imposed by this subsection at
 13 31 the collection or disposal facility based on the disposal
 13 32 charge or tipping fee. However, the costs of a service or the
 13 33 portion of a service to collect and manage recyclable
 13 34 materials separated from mixed municipal solid waste by the
 13 35 waste generator is exempt from the tax imposed by this
 14 1 subsection. For purposes of this paragraph, mixed municipal
 14 2 solid waste means garbage, refuse, and other solid waste from
 14 3 commercial, industrial, and community activities which is
 14 4 generated and collected in aggregate, but does not include
 14 5 auto hulks, street sweepings, ash, construction debris, mining
 14 6 waste, sludges, tree and agricultural wastes, tires, lead acid

increase by \$1.1 million in FY 1992 and by \$4.4 million for FY 1993.

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14 7 14 8	batteries, used oil, and other materials collected, processed, and disposed of as separate waste streams.	
14 9 14 10 14 11	Sec. 405. Section 422.43, subsection 11, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:	
14 12 14 13 14 14 14 15 14 16 14 17 14 18 14 19 14 20 14 21 14 22 14 23 14 24 14 25 14 26 14 27 14 28 14 29 14 30 14 31 14 32 14 33 14 34 14 35 15 1 15 2 15 3 15 4 15 5 15 6 15 7	The following enumerated services are subject to the tax imposed on gross taxable services: Alteration <u>alteration</u> and garment repair; armored car; automobile repair; battery, tire and allied; investment counseling; service charges of all financial institutions; barber and beauty; boat repair; car wash and wax; carpentry; roof, shingle, and glass repair; <u>consultant services</u> ; dance schools and dance studios; <u>dating services</u> ; dry cleaning, pressing, dyeing, and laundering; electrical and electronic repair and installation; rental of tangible personal property, except mobile homes which are tangible personal property; excavating and grading; farm implement repair of all kinds; flying service; furniture, rug, upholstery repair and cleaning; fur storage and repair; golf and country clubs and all commercial recreation; house and building moving; household appliance, television, and radio repair; jewelry and watch repair; <u>limousine service, including driver</u> ; machine operator; machine repair of all kinds; motor repair; motorcycle, scooter, and bicycle repair; oilers and lubricators; office and business machine repair; painting, papering, and interior decorating; parking facilities; pipe fitting and plumbing; wood preparation; licensed executive search agencies; private employment agencies, excluding services for placing a person in employment where the principal place of employment of that person is to be located outside of the state; <u>sewage services for nonresidential commercial operations</u> ; sewing and stitching; shoe repair and shoeshine; <u>sign construction and installation</u> ; storage of <u>household goods, mini-storage, and warehousing of raw agricultural products</u> ; <u>swimming pool cleaning and maintenance</u> ; <u>taxidermy services</u> ; telephone answering service; test laboratories, except tests on humans or animals; termite, bug,	CODE: Imposes the 4.0% sales and services tax on consultant services, dating services, limousine services, sewage services for nonresidential commercial operations, sign construction and installation, storage of household goods, mini-storage, swimming pool cleaning and maintenance, and taxidermy services, effective April 1, 1992. DETAIL: For those services to be taxed for which an estimate could be provided, the increase in General Fund revenues is estimated to be \$1.3 million in FY 1992 and \$5.2 million in FY 1993.

15 8 roach, and pest eradicators; tin and sheet metal repair;
 15 9 turkish baths, massage, and reducing salons; weighing;
 15 10 welding; well drilling; wrapping, packing, and packaging of
 15 11 merchandise other than processed meat, fish, fowl and
 15 12 vegetables; wrecking service; wrecker and towing; pay
 15 13 television; campgrounds; carpet and upholstery cleaning; gun
 15 14 and camera repair; janitorial and building maintenance or
 15 15 cleaning; lawn care, landscaping and tree trimming and
 15 16 removal; pet grooming; reflexology; security and detective
 15 17 services; tanning beds or salons; and water conditioning and
 15 18 softening.

15 19 Sec. 406. Section 422.43, subsection 11, Code Supplement
 15 20 1991, is amended by adding the following new unnumbered
 15 21 paragraph:

15 22 NEW UNNUMBERED PARAGRAPH. For purposes of this subsection,
 15 23 consultant services means services provided, except as
 15 24 otherwise stated in this paragraph, by a person who purports
 15 25 to give expert or professional advice on any subject
 15 26 including, but not limited to, advice on audiovisual,
 15 27 business, computer and data processing, insurance, management,
 15 28 marketing, security, and weather and meteorology. Consultant
 15 29 services does not mean services provided by a person
 15 30 licensed, registered, or certified by boards listed in section
 15 31 258A.1, or licensed under chapter 80A, 152A, 154C, 522, or
 15 32 602, article 10, if the services provided come within the
 15 33 purview of such person's license, registration, or
 15 34 certification.

15 35 Sec. 407. Section 422.45, subsection 2, Code Supplement
 16 1 1991, is amended to read as follows:

16 2 2. The gross receipts from the sales, furnishing, or
 16 3 service of transportation service except the rental of
 16 4 recreational vehicles or recreational boats, end except the
 16 5 rental of motor vehicles subject to registration which are
 16 6 registered for a gross weight of thirteen tons or less for a
 16 7 period of sixty days or less, and except the rental of

CODE: Defines consulting services subject to the sales and services tax.

CODE: Imposes the 4.0% sales and services tax on the gross taxable receipts from the rental of aircraft for a period of 60 days or less.

DETAIL: Information is not available which would permit estimating the impact of this provision.

PG LN

Senate File 21 16

Explanation

16 8 aircraft for a period of sixty days or less.

16 9 Sec. 408. Section 422.45, subsection 5, unnumbered
16 10 paragraph 1, Code Supplement 1991, is amended to read as
16 11 follows:

16 12 The gross receipts from services rendered, furnished, or
16 13 performed and of all sales of goods, wares, or merchandise
16 14 used for public purposes to a tax-certifying or tax-levying
16 15 body of the state or a governmental subdivision of the state,
16 16 including regional transit systems, as defined in section
16 17 601J.1, the state board of regents, department of human
16 18 services, state department of transportation, any municipally
16 19 owned solid waste facility which sells all or part of its
16 20 processed waste as fuel to a municipally owned public utility,
16 21 and all divisions, boards, commissions, agencies, or
16 22 instrumentalities of state, federal, county, or municipal
16 23 government which have no earnings going to the benefit of an
16 24 equity investor or stockholder, except sales of goods, wares,
16 25 or merchandise or from services rendered, furnished, or
16 26 performed and used by or in connection with the operation of
16 27 any municipally owned public utility engaged in selling gas,
16 28 electricity, heat, or pay television service to the general
16 29 public; except the sales, furnishing or providing of sewage
16 30 services to a county or municipality on behalf of
16 31 nonresidential commercial operations; and except the sales,
16 32 furnishing, or service of solid waste collection and disposal
16 33 service to a county or municipality on behalf of industrial,
16 34 nonresidential commercial, mining, and agricultural operations
16 35 located within the county or municipality.

17 1 Sec. 409. Section 422.45, subsection 20, Code Supplement
17 2 1991, is amended to read as follows:

17 3 20. The gross receipts from sales or services rendered,
17 4 furnished, or performed by a county or city. This exemption
17 5 does not apply to the tax specifically imposed under section
17 6 422.43 on the gross receipts from the sales, furnishing, or
17 7 service of gas, electricity, water, heat, pay television

CODE: Specifies that sales, furnishing, or service of residential solid waste collection and disposal services and non-residential commercial sewage services by a county or municipality on behalf of commercial and industrial enterprises is subject to the 4.0% services tax.

CODE: Specifies that sales, furnishing, or service of residential solid waste collection and disposal services and non-residential commercial sewage services by a county or municipality for a commercial and industrial enterprise is subject to the 4.0% sales and services tax.

17 8 service, and communication service to the public by a
 17 9 municipal corporation in its proprietary capacity, does not
 17 10 apply to the sales, furnishing, or service of solid waste
 17 11 collection and disposal service to industrial, nonresidential
 17 12 commercial, mining, and agricultural operations; does not
 17 13 apply to the sales, furnishing, or service of sewage service
 17 14 for nonresidential commercial operations; does not apply to
 17 15 fees paid to cities and counties for the privilege of
 17 16 participating in any athletic sports.

17 17 Sec. 410. 1991 Iowa Acts, chapter 260, section 1103,
 17 18 unnumbered paragraph 2, is amended to read as follows:
 17 19 The transfers under this section shall be made during the
 17 20 period beginning April 16, 1991, and ending June 30, 1991.
 17 21 However, state general fund cash balances shall be available
 17 22 from the general fund of the state for cash flow purposes to
 17 23 enable the timely payment of obligations incurred for purposes
 17 24 for which moneys in the funds designated in subsections 1
 17 25 through 4 are to be used for the fiscal years ending June 30,
 17 26 1992 and June 30, 1993.

CODE: Makes cash from the General Fund available for cash flow purposes to ensure timely payment of obligations from the Life Basic Operating Fund, Life Basic Reserve Fund, the Long-Term Disability Operating Fund, and the Long-Term Disability Reserve Fund.

DETAIL: The insurance reserve funds are established to pay claims processed after termination of an insurance contract. The previously retained insurance company receives and pays the claims and then is reimbursed by the State from the insurance reserves. The Attorney General indicated that clarification is needed regarding how to handle shortfalls in the insurance reserve funds. This language states that the General Fund will pay for obligations in excess of the amount in reserves.

Language is to be placed in another bill that will also clarify what will happen to the monies that were transferred. The full amount, plus interest, is to be returned to the insurance reserve funds by June 30, 1993.

17 27 Sec. 411. 1991 Iowa Acts, chapter 266, section 19, is .
 17 28 amended to read as follows:
 17 29 SEC. 19. There is appropriated from the health insurance

CODE: Appropriation from the Health Insurance Reserve Fund to the General Fund of the State. Requires that General Fund cash balances shall be

PG LN	Senate File 2116	Explanation
<p>17 30 reserve fund to the general fund of the state, on or before 17 31 June 30, 1991, the following amount: 17 32 \$ 6,000,000 17 33 However, state neneral fund cash balances shall be available 17 34 from the general fund of the state for cash flow purposes to 17 35 enable the timely payment of obligations incurred for purposes 18 1 of the health insurance reserve fund for the fiscal years 18 2 ending June 30, 1992, and June 30, 1993.</p>		<p>available to pay obligations of the Health Insurance Reserve Fund.</p>
<p>18 3 <u>Sec. 412.</u> EFFECTIVE DATE. Sections 401 through 409 of 18 4 this division take effect April 1, 1992.</p>		<p>States that the sections dealing with the tax increases take effect on April 1, 1992.</p>
<p>18 5 DIVISION V 18 6 DEPARTMENT OF PUBLIC SAFETY</p>		
<p>18 7 <u>Sec. 501.</u> DIVISION OF HIGHWAY SAFETY, UNIFORMED FORCE, AND 18 8 RADIO COMMUNICATIONS. The department of public safety, 18 9 department of personnel, and the department of management 18 10 shall make every reasonable effort to fill the entire 18 11 complement of positions authorized for the division of highway 18 12 safety, uniformed force, and radio communications under the 18 13 appropriation made to the, division as constituted on July 1, 18 14 1991, from the road use tax fund in 1991 Iowa Acts, chapter 18 15 268, section 504, subsection 1, as soon after the effective 18 16 date of this Act as practicable.</p>		<p>Requires the Departments of Public Safety (DPS), Personnel, and Management to fill vacant FTE trooper positions in the Iowa Highway Patrol as soon as feasible. These positions will funded from the RUTF.</p>
<p>18 17 <u>Sec. 502.</u> RADIO COMMUNICATIONS. There is appropriated 18 18 from the road use tax fund to the division of highway safety, 18 19 uniformed force, and radio communications of the department of 18 20 public safety for the fiscal year beginning July 1, 1991, and 18 21 ending June 30, 1992, the following amount, or <i>so</i> much thereof 18 22 as is necessary, to be used for the purpose designated: 18 23 For purposes relating to radio communications, including 18 24 but not limited to reimbursement of the general fund of the 18 25 state for expenditures for radio communications made before 18 26 the effective date of this Act pursuant to 1991 Iowa Acts, 18 27 chapter 268, section 503, subsection 2, and for not more than</p>		<p>Consolidates the Communications Division of the DPS with the Division of Highway Safety and Uniformed Force, and appropriates funds from the RUTF for radio communication purposes. The Communications Division was formerly funded from the General Fund. Also specifies that this RUTF appropriation shall be used to reimburse the General Fund for expenditures made before the effective date of this Act.</p>

18 28 the following full-time equivalent positions:
 18 29 \$ 3,039,150
 18 30 FTEs 79.00
 18 31 Reimbursement under the appropriation from the road use tax
 18 32 fund to the general fund of the state shall be made for
 18 33 expenditures for radio communications made before the
 18 34 effective date of this Act pursuant to 1991 Iowa Acts, chapter
 18 35 268, section 503, subsection 2. For the fiscal year beginning
 19 1 July 1, 1991, charges pursuant to section 421.17, subsection
 19 2 33, or any comparable statute, by the department of revenue
 19 3 and finance, department of personnel, or other state agencies,
 19 4 for indirect costs, including but not limited to accounting,
 19 5 workers' compensation, and unemployment compensation, shall
 19 6 not be charged to this appropriation.

19 7 Sec. 503. Section 80.36, Code 1991, is amended to read as
 19 8 follows:
 19 9 80.36 MAXIMUM AGE.
 19 10 The maximum age for a person to be employed as a peace
 19 11 officer in the divisions of highway safety, and uniformed
 19 12 force and radio communications, criminal investigation and
 19 13 bureau of identification, and drug law enforcement, ~~and beer~~
 19 14 ~~and liquor law enforcement~~ is sixty-five years of age.

CODE: Technical change to reflect the name change of the Division of Highway Safety and Uniformed Force to the Division of Highway Safety, Uniformed Force, and Radio Communications.

19' 15 Sec. 504. Section 97A.1, subsection 6, Code 1991, is
 19 16 amended to read as follows:
 19 17 6. Membership service shall mean service as a peace
 19 18 officer in the division of highway safety, end uniformed
 19 19 ~~forces or~~ force, and radio communications, the division of
 19 20 criminal investigation and bureau of identification, or
 19 21 division of drug law enforcement in the department of public
 19 22 safety and arson investigators rendered since last becoming a
 19 23 member, or, where membership is regained as provided in this
 19 24 chapter, all of such service.

CODE: Technical change to reflect the name change of the Division of Highway Safety and uniformed Force to the Division of Highway Safety, Uniformed Force, and Radio Communications.

19 25 Sec. 505. Section 97A.3, subsection 1, Code 1991, is
 19 26 amended to read as follows:

CODE: Technical change to reflect the name change of the Division of Highway Safety and Uniformed Force to

PG LN	Senate File 2116	Explanation
<p>19 27 1. All members of the division of highway safety, and 19 28 uniformed force, and radio communications and the division of 19 29 criminal investigation and bureau of identification in the 19 30 department of public safety, excepting the members of the 19 31 clerical force, who are employed by the state of Iowa when 19 32 this chapter becomes effective, and all persons thereafter 19 33 employed as members of such divisions in the department of 19 34 public safety or division of drug law enforcement and arson 19 35 investigators, or qualified members of the division of beer 20 1 and liquor law enforcement in said department except the 20 2 members of the clerical force, shall be members of this 20 3 system. Such members shall not be required to make 20 4 contributions under any other pension or retirement system of 20 5 the state of Iowa, anything to the contrary notwithstanding.</p>		<p>the Division of Highway Safety, Uniformed Force, and Radio Communications.</p>
<p>20 6 Sec. 506. Section 97A.4, unnumbered paragraph 2, Code 20 7 Supplement 1991, is amended to read as follows: 20 8 Any member of the system who has been employed continuously 20 9 prior to the passage of this chapter in the division of 20 10 highway safety, and uniformed force, <u>and radio communications</u> 20 11 or the division of criminal investigation and bureau of 20 12 identification in the department of public safety, or as a 20 13 member of the Iowa highway safety patrol, or as a peace 20 14 officer or a member of the uniformed force in any department 20 15 or division whose functions were transferred to, merged, or 20 16 consolidated in the department of public safety at the time 20 17 such department was created, shall receive credit for such 20 18 service in determining retirement and disability benefits 20 19 provided for in this chapter. Arson investigators who have 20 20 contributed to this system prior to July 1, 1978 shall receive 20 21 credit for such service in determining retirement and 20 22 disability benefits.</p>		<p>CODE: Technical change to reflect the name change of the Division of Highway Safety and Uniformed Force to the Division of Highway Safety, Uniformed Force, and Radio Communications.</p>
<p>20 23 Sec. 507. Section 97A.6, subsection 7, paragraph c, Code 20 24 Supplement 1991, is amended to read as follows: 20 25 c. The commissioner of public safety may, subject to 20 26 approval of the medical board, assign any former member of the</p>		<p>CODE: Technical change to reflect the name change of the Division of Highway Safety and Uniformed Force to the Division of Highway Safety, Uniformed Force, and Radio Communications.</p>

20 27 division of highway safety, and uniformed force, and radio
 20 28 communications or the division of criminal investigation and
 20 29 bureau of identification or an arson investigator who is
 20 30 retired and drawing a pension for disability under the
 20 31 provisions of this chapter, to the performance of light duties
 20 32 in such division.

20 33 [Sec. 508. 1991 Iowa Acts, chapter 268, section 503,
 20 34 subsection 2, is amended by striking the subsection.]

VETOED

CODE: Strikes the FY 1992 General Fund appropriation to the Department of Public Safety.

VETOED: The Governor vetoed language which strikes the General Fund appropriation for radio communications, with the intent that it be replaced with an appropriation from the RUTF. He feels that it is necessary to retain the General Fund appropriation as a vehicle for receiving the reimbursement.

20 35 DIVISION VI
 21 1 DEPARTMENT OF ECONOMIC DEVELOPMENT

21 2 Sec. 601. 1991 Iowa Acts, chapter 267, section 301,
 21 3 subsection 1, paragraph b, unnumbered paragraph 3, is amended
 21 4 to read as follows:

21 5 As a condition, limitation, and qualification of the
 21 6 appropriation under this subsection, \$425,000 shall be
 21 7 allocated to the rural enterprise fund, and \$140,000 shall be
 21 8 allocated for rural community leadership. Notwithstanding
 21 9 section 8.33, moneys obligated or committed to grantees under
 21 10 contract that remain unexpended at the end of the fiscal year,
 21 11 shall not revert but shall be available for expenditure for
 21 12 purposes of the contract during succeeding fiscal years.

CODE: Requires that funds committed to grants under contract for the Rural Resource Coordination Program not revert, but be available for expenditure for future fiscal years.

21 13 Sec. 602. 1991 Iowa Acts, chapter 267, section 301,
 21 14 subsection 2, paragraph c, is amended to read as follows: .
 21 15 c. Federal procurement office
 21 16 For salaries, support, maintenance, miscellaneous purposes,

CODE: Requires that funds remaining unencumbered at the end of the fiscal year for the Federal Procurement Office not revert, but be available for expenditure in FY 1993.

21 17 and for not more than the following full-time equivalent
 21 18 positions:
 21 19 \$ 100,000
 21 20 FTEs 3.00
 21 21 Notwithstanding section 8.33, moneys remaining unencumbered
 21 22 or unobligated on June 30, 1992, shall not revert and shall be
 21 23 available for expenditure during the fiscal year beginning
 21 24 July 1, 1992, for the same purposes.

21 25 Sec. 603. 1991 Iowa Acts, chapter 267, section 301,
 21 26 subsection 6, paragraph d, is amended by adding the following
 21 27 new unnumbered paragraph:
 21 28 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
 21 29 moneys obligated or committed to grantees under contract that
 21 30 remain unexpended at the end of the fiscal year, shall not
 21 31 revert but shall be available for expenditure for purposes of
 21 32 the contract during succeeding fiscal years.

21 33 Sec. 604. 1991 Iowa Acts, chapter 269, section 17,
 21 34 subsection 1, is amended to read as follows:
 21 35 1. If funds received from the federal government in the
 22 1 form of block grants exceed the amounts appropriated in
 22 2 sections 1, 2, 3, 4, 6, 7, and 9 of this Act, the excess shall
 22 3 be prorated to the appropriate programs according to the
 22 4 percentages specified in those sections, except additional
 22 5 funds shall not be prorated for administrative expenses.

22 6 Sec. 605. Section 15.287, Code Supplement 1991, is amended
 22 7 by adding the following new unnumbered paragraph:
 22 8 NEW UNNUMBERED PARAGRAPH. Notwithstanding the restrictions
 22 9 on the use of the revolving fund in this section, the director
 22 10 may use unallocated repayments to the revolving fund to pay
 22 11 for administration of programs under the Cranston-Gonzalez
 22 12 National Affordable Housing Act of 1990, Pub. L. No. 101-625.

CODE: Requires that funds committed to grants under contract for the Work Force Investment Program not revert, but be available for expenditure for future fiscal years.

CODE: Requires that if funds received from the block grants exceed the amounts appropriated for Alcohol and Drug Abuse and Mental Health Services, Maternal and Child Health Services, Preventive Health and Health Services, Drug Control and System Improvement, Community Development, Education, and Social Services, the excess shall be prorated to the appropriate programs according to the existing percentages. Additional funds shall not be prorated for administrative expenses.

CODE: Permits the Director of the Department of Economic Development to use unallocated repayments to the Rural Community 2000 Revolving Fund for administration of programs under the Cranston-Gonzalez National Affordable Housing Act of 1990 (HOME Program).

DETAIL: The HOME Program was authorized in the

National Affordable Housing Act of 1990 as a federal housing block grant to expand the supply of long-term affordable housing for low-income families. The State of Iowa expects to receive approximately \$9.6 million in HOME funds. Additionally, Des Moines and Davenport will receive \$1.2 million and \$640,000, respectively, as the only 2 direct participating jurisdiction cities in Iowa.

22 13 DIVISION VII
 22 14 EFFECTIVE DATE

22 15 Sec. 701. Except for sections 401 through 409, this Act,
 22 16 being deemed of immediate importance, takes effect upon
 22 17 enactment.

States that this Act takes effect upon enactment, except for the tax changes.

22 18 SF 2116
 22 19 mg/cc/26

**EXECUTIVE SUMMARY
FY 1992 ADJUSTMENTS & SALARIES**

SENATE FILE 2367

NET EFFECT

•Decreases the FY 1992 General Fund appropriations by \$3.9 million and appropriates \$15.0 million from the General Fund for a net increase of \$11.1 million appropriated from the General Fund in FY 1992.

**DEPARTMENT OF ECONOMIC
DEVELOPMENT (DED)**

•Deappropriates \$280,000 from the Community Economic Betterment Account (CEBA), the Microenterprise Fund, and the Job Retraining Program. (Page 1, Line 4 through Page 1, Line 16)

-Transfers \$575,000 from the Business Development Finance Corporation Assistance Fund to the General Fund. (Page 1, Line 17)

•Transfers a maximum of \$1.3 million from the Rural Community 2000 Revolving Fund to the General Fund. (Page 1, Line 25)

•Transfers the uncommitted balance from the 280C - Small Business New Job Training Fund to the General Fund. The uncommitted balance is estimated to be \$490,000. (Page 1, Line 34)

**DEPARTMENT OF
TRANSPORTATION (DOT)**

•Deappropriates \$585,000 from railroad and aviation projects. The DOT will be able to use Use Tax receipts set aside as contingency funds for these projects. This will result in a decrease in receipts deposited into the Road Use Tax Fund. (Page 2, Line 7)

**DEPARTMENT OF NATURAL
RESOURCES (DNR)**

•Transfers \$288,000 from the Resources Enhancement And Protection (REAP) Fund to the General Fund. (Page 2, Line 20)

EXECUTIVE COUNCIL

•Limits the payment for court costs authorized by the Executive Council to a maximum of \$193,000, which provides for the payment of FY 1992 court costs through March 31, 1992. (Page 3, Line 2)
This item was vetoed by the Governor.

**DEPARTMENT OF HUMAN
SERVICES (DHS)**

•Provides supplemental appropriations of \$8.4 million for Aid to Families with Dependent Children (AFDC), Medical Assistance and Contracts, State Supplementary Assistance (SSA), Child Day Care, Transitional Child Care Assistance, and Foster Care. This restores the amount reduced by the 0.62% across-the-board reduction and provides an additional \$6.0 million for Medical Assistance. (Page 3, Line 17 through Page 4, Line 16)

**DEPARTMENT OF CORRECTIONS
(DOC)**

•Provides supplemental appropriations of \$745,000 to the prisons, Community Based Corrections (CBC) District Departments, and contractual accounts. This restores the amount reduced by the 0.62% across-the-board reduction. (Page 4, Line 18 through Page 6, Line 12)

**EXECUTIVE SUMMARY
FY 1992 ADJUSTMENTS & SALARIES**

SENATE FILE 2367

**DEPARTMENT OF INSPECTIONS
AND APPEALS (DIA)**

- Provides supplemental appropriations of \$2.8 million for indigent defense. This restores the amount reduced by the 0.62% across-the-board reduction and provides an additional \$2.7 million for the costs of court-appointed attorney fees. (Page 6, Line 14 through Page 6, Line 25)

BOARD OF REGENTS

- Provides a supplemental appropriation of \$11,000 for the State School for the Deaf and the Iowa Braille and Sight-Saving School. (Page 6, Line 27)

LEGISLATIVE INTENT

- States that the reductions of appropriations for FY 1992 made in this Act are in addition to the 3.25% and 0.62% across-the-board reductions. (Page 3, Line 9)

SALARY ADJUSTMENT FUND

- States that the supplemental appropriations for FY 1992 made in this Act are not subject to the 3.25% or 0.62% across-the-board reductions. (Page 7, Line 2 and Page 9, Line 12)
- Provides a General Fund supplemental appropriation of \$3.1 million to fund collective bargaining agreements for FY 1992. (Page 7, Line 10)
- Provides a Road Use Tax Fund supplemental appropriation of \$232,000 and a Primary Road Fund supplemental appropriation of \$598,000 to fund collective bargaining agreements. (Page 8, Line 10 through Page 8, Line 25)
- Provides a supplemental expenditure authorization to revolving, trust, or special funds to fund the cost of collective bargaining agreements. (Page 8, Line 31)
- States that the Salary Adjustment Fund is to be used to fund the costs of the collective bargaining agreements, beginning on or about April 24, 1992, and ending with the pay period on or about June 18, 1992. (Page 9, Line 3)

GOVERNOR'S VETOES

- The Governor vetoed the section which limited court costs paid by the Executive Council to a maximum of \$193,000 stating that the limit had already been exceeded and additional demands for payments are anticipated. (Page 3, Line 2)
- The Governor vetoed the section which authorized the expenditure of Use Tax receipts for the Medical Assistance and Foster Care Programs of the DHS stating that the Legislature repealed the provision in SF 2347 (Agriculture and Natural Resources Appropriations Bill). (Page 4, Line 3)

Senate File 2367

Senate File 2367 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section Changed	Description
1	17	102	Nwthstnd	Sec. 28.148	Business Development Finance Corporation (BDFC)
1	25	103	Nwthstnd	Sec. 15.287 and All	Rural Community 2000 Revolving Fund
1	34	104	Nwthstnd	Sec. 280C.6	280C - Small Business New Jobs Training Fund
2	20	106	Nwthstnd	Sec. 99E.34, 455A.18, All	Resources Enhancement And Protection (REAP) Fund
3	2	107	Nwthstnd	Sec. 19.10	Executive Council - Payment of Court Costs
7	18	301.9	Nwthstnd	Sec. 8.43	Judicial Branch
9	27	401	Amends	Sec. 602.9107A(3), as amended by HF 2450, 1992 Iowa Acts	Public Retirement Systems Technical Correction
9	35	402	Amends	Sec. 602.91 15A	Public Retirement Systems Technical Correction
10	10	403	Amends	Sec. 602.91 15A	Public Retirement Systems Bill

1 1 DIVISION I
 1 2 REDUCTIONS

1 3 DEPARTMENT OF ECONOMIC DEVELOPMENT

1 4 Section 101. The appropriations from the general fund of
 1 5 the state to the department of economic development for the
 1 6 fiscal year beginning July 1, 1991, and ending June 30, 1992,
 1 7 in 1991 Iowa Acts, chapter 267, section 301, are reduced by
 1 8 the following amounts for the purposes designated:

1 9 1. Business development division
 1 10 a. Community economic betterment program:
 1 11 \$ 220,000

1 12 b. Microenterprise development revolving fund:
 1 13 \$ 55,000

General Fund deappropriation of \$220,000 from the Community Economic Betterment Account (CEBA) Program of the Department of Economic Development (DED).

DETAIL: The amount being reduced is the uncommitted balance. Fewer funds will be available for forgivable loans to businesses. These dollars would have remained in the CEBA Account for distribution during FY 1992 or FY 1993.

General Fund deappropriation of \$55,000 from the Microenterprise Fund of the DED.

DETAIL: This reduction includes:

1. \$10,000 which is the uncommitted balance for the Targeted Small Business Financial Assistance Fund. These dollars would have remained in the Microenterprise Fund for distribution during FY 1992 or FY 1993.
2. \$45,000 which is the uncommitted balance for the Self Employment Loan Program. These dollars would have remained in the Microenterprise Fund for distribution during FY 1992 or FY 1993.

PG LN	Senate File 2367	Explanation
1 14	2. Work force development division:	General Fund deappropriation of \$5,000 from the Job Retraining Program of the DED.
1 15	Job retraining program:	
1 16	..... \$ 5,000
		DETAIL: The amount being reduced is the uncommitted balance. These dollars would have remained in the Job .Retraining Fund for distribution during FY 1992 or FY 1993.
1 17	Sec. 102. BUSINESS DEVELOPMENT FINANCE CORPORATION	CODE: Transfers \$575,000 from the Business Development Finance Corporation Assistance Fund of the DED to the General Fund.
1 18	ASSISTANCE FUND. Notwithstanding the provisions of section	
1 19	28.148, of the funds appropriated to the business development	
1 20	finance corporation assistance fund for the fiscal year	
1 21	beginning July 1, 1990, for purposes of the capital access	
1 22	program, \$575,000, or so much thereof as is remaining and is	
1 23	unencumbered and unobligated, shall revert and be deposited in	
1 24	the general fund of the state.	
1 25	Sec. 103. RURAL COMMUNITY 2000 REVOLVING FUND.	CODE: Transfers \$1,266,000 from the Rural Community 2000 Revolving Fund of the DED to the General Fund.
1 26	Notwithstanding any provisions in section 15.287 or other	
1 27	provisions of law, up to \$1,266,000 of moneys in the rural	DETAIL: This transfer includes:
1 28	community 2000 revolving fund, including repayments allocated	
1 29	under section 28.120, subsection 7, which are unencumbered or	
1 30	unobligated on June 30, 1992, shall be transferred and	
1 31	credited to the general fund of the state. Transfers under	
1 32	this section shall be made during the period beginning April	
1 33	15, 1992, and ending June 30, 1992.	
1 34	Sec. 104. SMALL BUSINESS NEW JOBS TRAINING FUND.		CODE: Transfers the uncommitted balance from the 280C - Small Business New Jobs Training Fund of the DED to the General Fund.
1 35	Notwithstanding section 280C.6, the unobligated and	
2 1	unencumbered balance in the community college job training	

2 2 fund, except for the amount appropriated in 1991 Iowa Acts,
 2 3 chapter 267, section 308, for the fiscal year ending June 30,
 2 4 1992, shall be transferred and credited to the general fund of
 2 5 the state.

DETAIL: The Department of Management (DOM) estimates the uncommitted balance to be \$490,000. These dollars would have remained in the Job Training Fund for distribution during FY 1992 or FY 1993.

2 6 STATE DEPARTMENT OF TRANSPORTATION

2 7 Sec. 105. The appropriations from the general fund of the
 2 8 state to the state department of transportation for the fiscal
 2 9 year beginning July 1, 1991, and ending June 30, 1992, in 1991
 2 10 Iowa Acts, chapter 268, section 508, are reduced by the
 2 11 following amounts for the purposes designated:

General Fund deappropriation of \$585,000 from railroad and aviation projects of the Department of Transportation (DOT).

2 12 For providing assistance for the restoration, conservation,
 2 13 improvement, and construction of railroad mainlines,
 2 14 branchlines, switching yards, and sidings as required in
 2 15 section 327H.18; for use by the railway finance authority as
 2 16 provided in chapter 3078; and for airport engineering studies
 2 17 and improvement projects as provided in chapter 328:
 2 18 \$ 585,000

DETAIL: The DOT will be able to use \$585,000 of Use Tax receipts set aside as contingency funds for railroad and aviation improvement projects. This will result in a decrease in receipts deposited into the Road Use Tax Fund.

2 19 DEPARTMENT OF NATURAL RESOURCES

2 20 Sec. 106. Notwithstanding any provision in section 99E.34,
 2 21 455A.18, or other provisions of law, up to \$200,000 of the
 2 22 unobligated and unencumbered moneys on June 30, 1992,
 2 23 allocated to the conservation education board, up to \$20,000
 2 24 of the unobligated and unencumbered moneys on June 30, 1992,
 2 25 allocated to the historical resource grant and loan fund, and
 2 26 up to \$68,000 of the unobligated and unencumbered moneys on
 2 27 June 30, 1992, allocated to the living roadway trust fund from
 2 28 moneys in the Iowa resources enhancement and protection fund,
 2 29 created in section 455A.18, or any of the accounts in the Iowa
 2 30 resources enhancement and protection fund shall be transferred
 2 31 and credited to the general fund of the state. Such transfers
 2 32 may be made prior to June 30, 1992. Transfers of moneys from
 2 33 the accounts in the Iowa resources enhancement and protection

CODE: Transfers \$288,000 from the Resources Enhancement And Protection (REAP) Fund to the General Fund.

DETAIL: The amount being transferred is the uncommitted balance. These dollars would have remained in the REAP Fund for distribution during FY 1992 or FY 1993. This transfer includes:

1. \$200,000 from the Conservation Education Board.
2. \$68,000 from the Living Roadway Trust Fund.
3. \$20,000 from the Historical Resource Grant and Loan Fund.

PG LN

Senate File 2367

Explanation

2 34 fund shall not affect the formula for the distribution of
 2 35 moneys in each of those accounts as provided in section
 3 1 455A.19.

3 2 [Sec. 107. Notwithstanding the standing appropriation in
 3 3 section 19.10 to the executive council to pay court costs of
 3 4 state agencies, the amount appropriated from the general fund
 3 5 of the state under section 19.10 for the fiscal year beginning
 3 6 July 1, 1 1, for payment of court costs shall not exceed
 3 7 \$192,8261

VETOED

CODE: Limits the payment for court costs authorized
 by the Executive Council to a maximum of \$192,826.

DETAIL: This is a reduction of \$384,367. The
 spending limit provides for the payment of court
 costs through March 31, 1992. The Legislative Fiscal
 Bureau (LFB) estimates an additional \$290,000 for FY
 1992 court costs will be carried forward to FY 1993.

VETOED: The Governor vetoed this section stating
 that the spending limit had already been exceeded
 (amount spent as of May 15, 1992, was \$250,376), and
 additional claims of at least \$200,000 are
 anticipated. The additional claims include those to
 be submitted by the Office of the Attorney General.

3 8 EFFECT OF APPROPRIATION REDUCTIONS

3 9 Sec. 108. The reductions in appropriations for the fiscal
 3 10 year beginning July 1, 1991, and ending June 30, 1992, made in
 3 11 this division are in addition to the allotment reductions of
 3 12 3.25 percent and .62 percent pursuant to executive orders
 3 13 number 42 and number 43, respectively.

States that the reductions of appropriations for FY
 1992 made in this Division are in addition to the
 3.25% and 0.62% across-the-board reductions.

3 14 DIVISION II
 3 15 SUPPLEMENTALS

3 16 DEPARTMENT OF HUMAN SERVICES

3 17 Sec. 201. There is appropriated from the general fund of
 3 18 the state to the department of human services for the fiscal
 3 19 year beginning July 1, 1991, and ending June 30, 1992, to
 3 20 supplement the appropriations made in 1991 Iowa Acts, chapter

3 21 267, division f, and in 1992 Iowa Acts, Senate File 2116,
 3 22 section 101, the following amounts, or so much thereof as is
 3 23 necessary, to be used for the purposes designated:

3 24 1. Aid to families with dependent children:
 3 25 \$ 284,768

General Fund supplemental appropriation of \$284,768 to the Aid to Families with Dependent Children (AFDC) Program of the DHS.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction.

3 26 2. -Medical assistance:
 3 27 \$ 7,595,735

General Fund supplemental appropriation of \$7,595,735 for the Medical Assistance Program of the DHS.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction and provides \$6.0 million for a projected Program deficit.

3 28 3. Medical contracts:
 3 29 \$ 26,940

General Fund supplemental appropriation of \$26,940 for the Medical Contracts Program of the DHS.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction.

3 30 4. State supplementary assistance:
 3 31 \$ 122,283

General Fund supplemental appropriation of \$122,283 for the State Supplementary Assistance (SSA) Program of the DHS.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction.

3 32 5. Child day care assistance:
 3 33 \$ 45,477

General Fund supplemental appropriation of \$45,477 for the Child Day Care Assistance Program of the DHS.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction.

PG LN	Senate File 2367	Explanation
3 34	6. Transitional child care assistance:	General Fund supplemental appropriation of \$2,070 for the Transitional Child Care Assistance Program of the DHS.
3 35	..... \$ 2,070	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction.
4 1	7. Foster care:	General Fund supplemental appropriation of \$302,453 for the Foster Care Program of the DHS.
4 2	..... \$ 302,453	DETAIL: This partially restores the amount reduced by the 0.62% across-the-board reduction.
4 3	<p>[If the moneys appropriated in subsection 2, for medical assistance or subsection 7, for foster care, are insufficient to fund the state obligations for those purposes in the fiscal year for which the moneys are appropriated, the governor may utilize use tax revenues collected in the fiscal year beginning July 1, 1991, pursuant to section 423.7 to pay the insufficient amount. If the governor elects to take this action, there is appropriated from the use tax revenues collected pursuant to section 423.7, prior to deposit in accordance with section 423.24, to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the amount necessary to fund the insufficient amount of the state obligations for medical assistance or foster care.]</p>	<p>VETOED</p> <p>Permits the Governor to use receipts from the Use Tax if an FY 1992 shortfall occurs in the Medical Assistance or Foster Care Programs within the DHS.</p> <p>NOTE: This section was repealed by Section 22 of SF 2347 (Agriculture and Natural Resources Subcommittee Bill).</p> <p>VETOED: The Governor vetoed this section stating that the Legislature repealed this provision.</p>
4 17	DEPARTMENT OF CORRECTIONS	
4 18	<p>Sec. 202. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1991, and ending June 30, 1992, to supplement the appropriations made in 1991 Iowa Acts, chapter 267, divisions IV and V, and in 1992 Iowa Acts, Senate File 2116, section 102, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:</p>	

<p>4 25 1. Fort Madison correctional facility: 4 26</p>	<p>\$ 135,342</p>	<p>General Fund supplemental appropriation of \$1 35,342 to the Ft. Madison Correctional Facility of the Department of Corrections (DOC).</p> <p>DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.</p>
<p>4 27 2. Anamosa correctional facility: 4 28</p>	<p>\$ 100,153</p>	<p>General Fund supplemental appropriation of \$1 00,153 to the Anamosa Correctional Facility of the DOC.</p> <p>DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.</p>
<p>4 29 3. Oakdale correctional facility: 4 30</p>	<p>\$ 85,175</p>	<p>General Fund supplemental appropriation of \$85.175 to the Oakdale Correctional Facility of the DOC.</p> <p>DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.</p>
<p>4 31 4. Newton correctional facility: 4 32</p>	<p>\$ 25.724</p>	<p>General Fund supplemental appropriation of \$25,724 to the Newton Correctional Facility of the DOC.</p> <p>DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.</p>
<p>4 33 5. Mt. Pleasant correctional facility: 4 34</p>	<p>\$ 71,958</p>	<p>General Fund supplemental appropriation of \$71,958 to the Mt. Pleasant Correctional Facility of the DOC.</p> <p>DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.</p>

PG LN	Senate File 2367	Explanation
4 35	6. Rockwell City correctional facility:	General Fund supplemental appropriation of \$24,732 to the Rockwell City Correctional Facility of the DOC.
5 1	..... \$ 24,732	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.
5 2	7. Clarinda correctional facility:	General Fund supplemental appropriation of \$32,977 to the Clarinda Correctional Facility of the DOC.
5 3	..... \$ 32,977	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.
5 4	8. Mitchellville correctional facility:	General Fund Supplemental appropriation of \$29,514 to the Mitchellville Correctional Facility of the DOC.
5 5	..... \$ 29,514	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the high inmate population.
5 6	9. Reimbursement of counties for temporary confinement of	General Fund supplemental appropriation of \$1,546 for the County Confinement account of the DOC.
5 7	work release and parole violators:	
5 8	..... \$ 1,546	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to the increased costs of reimbursing counties for holding Operating While Intoxicated (OWI) offenders, and those offenders revoked from work release and parole programs, pending return to the Oakdale Correctional Facility.
5 9	10. Federal prison reimbursement and miscellaneous	General Fund supplemental appropriation of \$2,227 for the Federal Prisoners Contractual account of the DOC.
5 10	contracts:	
5 11	..... \$ 2,227	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed

			due to the increased per diem costs of reimbursing the Federal Bureau of Prisons for holding Iowa inmates.
5 12	11. For annual payment related to prison expansion:		General Fund supplemental appropriation of \$4,006 for the Phase I lease-purchase payment of the DOC.
5 13	.....	\$ 4,006	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed to meet the financial obligation of the lease-purchase agreement.
5 14	12. For annual payment relating to prison expansion:		General Fund supplemental appropriation of \$20,122 for the Phase II lease-purchase payment of the DOC.
5 15	.....	\$ 20,122	DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed to meet the financial obligation of the lease-purchase agreement.
5 16	13. First judicial district department of correctional		General Fund supplemental appropriation of \$34,896 for the First Community Based Corrections (CBC) District Department.
5 17	services:		DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to high supervision caseloads, increased CBC facility populations, and to meet program contract obligations.
5 18	.....	\$ 34,896	General Fund supplemental appropriation of \$24,724 for the Second CBC District Department.
5 19	14. Second judicial district department of correctional		DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to high supervision caseloads, increased CBC facility populations, and to meet program contract
5 20	services:		
5 21	.....	\$ 24,724	

PG LN

Senate File 2367

Explanation

			obligations.
5 22	15. Third judicial district department of correctional		General Fund supplemental appropriation of \$15,322
5 23	services:		for the Third CBC District Department.
5 24	.....	\$ 15,322	DETAIL: This restores the amount reduced by the
			0.62% across-the-board reduction. Funds are needed
			due to high supervision caseloads, increased CBC
			facility populations, and to meet program contract
			obligations.
5 25	16. Fourth judicial district department of correctional		General Fund supplemental appropriation of \$12,426
5 26	services:		for the Fourth CBC District Department.
5 27	.....	\$ 12,426	DETAIL: This restores the amount reduced by the
			0.62% across-the-board reduction. Funds are needed
			due to high supervision caseloads, increased CBC
			facility populations, and to meet program contract
			obligations.
5 28	17. Fifth judicial district department of correctional		General Fund supplemental appropriation of \$44,414
5 29	services:		for the Fifth CBC District Department.
5 30	.....	\$ 44,414	DETAIL: This restores the amount reduced by the
			0.62% across-the-board reduction. Funds are needed
			due to high supervision caseloads, increased CBC
			facility populations, and to meet program contract
			obligations.
5 31	18. Sixth judicial district department of correctional		General Fund supplemental appropriation of \$34,688
5 32	services:		for the Sixth CBC District Department.
5 33	.....	\$ 34,688	DETAIL: This restores the amount reduced by the
			0.62% across-the-board reduction. Funds are needed
			due to high supervision caseloads, increased CBC
			facility populations, and to meet program contract
			obligations.

5 34 19. Seventh judicial district department of correctional
 5 35 services:
 6 1 \$ 24,234

General Fund supplemental appropriation of \$24,234 for the Seventh CBC District Department.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to high supervision caseloads, increased CBC facility populations, and to meet program contract obligations.

6 2 20. Eighth judicial district department of correctional
 6 3 services:
 6 4 \$ 19,658

General Fund supplemental appropriation of \$19,658 for the Eighth CBC District Department.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Funds are needed due to high supervision caseloads, increased CBC facility populations, and to meet program contract obligations.

6 5 21. Assistance and support of each judicial district
 6 6 department of correctional services:
 6 7 \$ 565

General Fund supplemental appropriation of \$565 for the CBC Statewide account of the DOC.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction.

6 8 22. Cost of postconviction relief proceedings pursuant to
 6 9 section 663A.5 and costs and fees of parole revocation
 6 10 proceedings and criminal cases brought against an inmate under
 6 11 section 815.1:
 6 12 \$ 433

General Fund supplemental appropriation of \$433 for the State Cases standing appropriation of the DOC.

DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction.

6 13 DEPARTMENT OF INSPECTIONS AND APPEALS

6 14 Sec. 203. There is appropriated from the general fund of
 6 15 the state to the office of the state public defender for the
 6 16 fiscal year beginning July 1, 1991, and ending June 30, 1992,
 6 17 to supplement the appropriations made in 1991 Iowa Acts,

PG LN	Senate File 2367	Explanation
6 18 chapter 268, section 407, the following amounts, or <i>so</i> much 6 19 thereof as is necessary, for the purposes designated:		
6 20 1. For salaries, support, maintenance, and miscellaneous 6 21 purposes, in subsection 1, paragraph a: 6 22 \$ 39,488		General Fund supplemental appropriation of \$39,488 for the State Public Defender's Office in the Department of Inspections and Appeals (DIA). DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction. Due to the expansion of the State Public Defender's Office, more cases were opened than originally projected.
6 23 2. For indigent court-appointed attorney fees for adults 6 24 and juveniles in subsection 1, paragraph b: 6 25 \$ 2,758,286		General Fund supplemental appropriation of \$2,758,286 for court-appointed attorney costs for adults and juveniles. DETAIL: This restores the amount reduced by the 0.62% across-the-board reduction and provides \$2,700,000 for a projected program deficit. The deficit is due to the costs of court-appointed attorney fees being higher than originally projected. The total appropriation for FY 1992 is \$11.7 million, which is more than the original projection for FY 1992, but less than the FY 1991 actual amount spent (\$14.4 million). This is a successful reversal of the trend of increasing costs for the indigent defense program, due to the expansion of the State Public Defender's Office.
6 26 STATE BOARD OF REGENTS		
6 27 Sec. 204. There is appropriated from the general fund of 6 28 the state to the state board of regents for the fiscal year 6 29 beginning July 1, 1991, and ending June 30, 1992, to 6 30 supplement the appropriations made in 1991 Iowa Acts, chapter 6 31 267, section 210, subsections 5 and 6, the following amount, 6 32 or <i>so</i> much thereof as is necessary, for the purposes		General Fund supplemental appropriation of \$11,199 to the State Board of Regents for the State School for the Deaf and the Iowa Braille and Sight-Saving School.

6 33 designated:
 6 34 For the state school for the deaf and the Iowa Braille and
 6 35 sight-saving school:
 7 1 \$ 11,199

7 2 Sec. 205. EFFECT OF APPROPRIATION REDUCTIONS. The moneys
 7 3 appropriated to supplement the appropriations for the fiscal
 7 4 year beginning July 1, 1991, and ending June 30, 1992, made in
 7 5 this division are not subject to the allotment reductions of
 7 6 3.25 percent and .62 percent pursuant to executive orders
 7 7 number 42 and number 43, respectively.

States that the supplemental appropriations provided in this Division are not subject to the 3.25% and 0.62% across-the-board reductions.

7 8 **DIVISION III**
 7 9 SALARIES 1991-1992 FISCAL YEAR

7 10 Sec. 301. There is appropriated from the general fund of
 7 11 the state to the salary adjustment fund for distribution by
 7 12 the department of management to the various state departments,
 7 13 boards, commissions, councils, and agencies for the fiscal
 7 14 year beginning July 1, 1991, and ending June 30, 1992, the
 7 15 following amount, \$3,100,000, or so much thereof as may be
 7 16 necessary, to fund the following annual pay adjustments,
 7 17 expense reimbursements, and related benefits:

General Fund supplemental appropriation of \$3,100,000 to the Salary Adjustment Fund for distribution by the DOM to fund annual pay adjustments, expense reimbursements, and related benefits.

DETAIL: This appropriation funds the cost of FY 1992 salary increases for contract-covered employees from April 24, 1992. The University of Northern Iowa faculty have agreed to defer all FY 1992 payment until FY 1993 and are not funded in this Act. The estimated cost of the remaining FY 1992 salary obligation for covered employees is \$16.0 million.

- 7 18 1. The collective bargaining agreement negotiated pursuant
- 7 19 to chapter 20 for employees in the blue collar bargaining
- 7 20 unit.
- 7 21 2. The collective bargaining agreement negotiated pursuant
- 7 22 to chapter 20 for employees in the state police officers
- 7 23 council bargaining unit.
- 7 24 3. The collective bargaining agreement negotiated pursuant
- 7 25 to chapter 20 for employees in the security bargaining unit.
- 7 26 4. The collective bargaining agreement negotiated pursuant

Provides that the appropriation is for the following:

- 1. Blue collar bargaining unit.
- 2. State Police Officers Council (SPOC) bargaining unit.
- 3. Security bargaining unit.
- 4. Technical bargaining unit.
- 5. Professional fiscal and staff bargaining unit.
- 6. Clerical bargaining unit.

PG LN	Senate File 2367	Explanation
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7 27 to chapter 20 for employees in the technical bargaining unit.
 7 28 5. The collective bargaining agreement negotiated pursuant
 7 29 to chapter 20 for employees in the professional fiscal and
 7 30 staff bargaining unit.
 7 31 6. The collective bargaining agreement negotiated pursuant
 7 32 to chapter 20 for employees in the clerical bargaining unit.
 7 33 7. The collective bargaining agreement negotiated pursuant
 7 34 to chapter 20 for employees in the Iowa united professionals
 7 35 bargaining unit.
 8 1 8. The collective bargaining agreement negotiated pursuant
 8 2 to chapter 20 for employees in the community-based corrections
 8 3 bargaining unit.
 8 4 9. If an agreement is negotiated pursuant to chapter 20
 8 5 for employees of the judicial branch of government bargaining
 8 6 unit, notwithstanding section 8.43, the salary and benefit ex-
 8 7 penditures shall be paid from funds otherwise appropriated to
 8 8 the judicial branch.

7. Iowa United Professionals (IUP) bargaining unit.
 8. CBC bargaining unit.

CODE: Judicial Branch employees, if a collective bargaining agreement is negotiated, are excluded from the funding.

8 9 Sec. 302.
 8 10 1. There is appropriated from the road use tax fund to the
 8 11 salary adjustment fund for the fiscal year beginning July 1,
 8 12 1991, and ending June 30, 1992, the following amount, or *so*
 8 13 much thereof as may be necessary, to be used for the purposes
 8 14 designated:
 8 15 To supplement other funds appropriated by the general
 8 16 assembly:
 8 17 \$ 231,736

Road Use Tax Fund supplemental appropriation of \$231,736 to the Salary Adjustment Fund.

8 18 2. There is appropriated from the primary road fund to the
 8 19 salary adjustment fund, for the fiscal year beginning July 1,
 8 20 1991, and ending June 30, 1992, the following amount, or *so*
 8 21 much thereof as may be necessary, to be used for the purposes
 8 22 designated:
 8 23 To supplement other funds appropriated by the general
 8 24 assembly:
 8 25 \$ 598,062

Primary Road Fund supplemental appropriation of \$598,062 to the Salary Adjustment Fund.

8 26 3. Except as otherwise provided in this division, the
8 27 amounts appropriated in subsections 1 and 2 shall be used to
8 28 fund the annual pay adjustments, expense reimbursement, and
8 29 related benefits for public officials and employees as
8 30 provided for in this division.

States that the funds appropriated from the Road Use Tax Fund and the Primary Road Fund are to be used for annual pay adjustments, expense reimbursement, and related benefits.

8 31 **Sec. 303.** To departmental revolving, trust, or special
8 32 funds, except for the primary road fund or the road use tax
8 33 fund, for which the general assembly has established an
8 34 operating budget, a supplemental expenditure authorization is
8 35 provided, unless otherwise provided, in an amount necessary to
9 1 fund salary adjustments as otherwise provided in this
9 2 division.

Provides a supplemental expenditure authorization to departmental revolving, trust, or special funds, in an amount necessary to fund salary adjustments.

9 3 **Sec. 304.** All funds appropriated to the salary adjustment
9 4 fund shall be used to fund salary and fringe benefit
9 5 expenditures for employees covered by the agreements specified
9 6 in section 301, commencing April 24, 1992, and ending with the
9 7 pay period ending June 18, 1992, except for employees under
9 8 the state board of regents merit system which commences April
9 9 24, 1992, or the pay period commencing nearest that date, and
9 10 ends June 30, 1992, or the pay period ending nearest to but
9 11 before that date.

Provides that all funds appropriated to the Salary Adjustment Fund are to be used to fund salary and fringe benefit expenditures for employees covered by collective bargaining agreements for the period beginning April 24, 1992 and ending June 18, 1992, except for employees under the State Board of Regents merit system beginning on or about April 24, 1992 and ending on or about June 30, 1992.

9 12 **Sec. 305. EFFECT OF APPROPRIATION REDUCTIONS.** The moneys
9 13 appropriated to supplement the appropriations for the fiscal
9 14 year beginning July 1, 1991, and ending June 30, 1992, made in
9 15 this division are not subject to the allotment reductions of
9 16 3.25 percent and .62 percent pursuant to executive orders
9 17 number 42 and number 43, respectively.

States that the supplemental appropriations provided in this Division are not subject to the 3.25% and 0.62% across-the-board reductions.

9 18 **Sec. 306.** Funds appropriated from the general fund of the
9 19 state in this division relate only to salaries supported from
9 20 general fund appropriations of the state.

Provides that General Fund supplemental appropriations made in this Division relate only to salaries supported from General Fund expenditures of the State.

9 21 **Sec. 307.** All federal grants to and the federal receipts

Provides that federal grants and receipts which are

9 22 of the agencies affected by this division which are received
 9 23 and may be expended for purposes of this division are
 9 24 appropriated for those purposes and as set forth in the
 9 25 federal grants or receipts.

received and may be expended for the purposes of this
 Division are appropriated for those purposes.

9 26 DIVISION IV

9 27 **Sec. 401.** Section **602.9107A**, subsection 3, as enacted by
 9 28 1992 Iowa Acts, House File 2450, section 72, if enacted by the
 9 29 1992 Session of the Seventy-fourth General Assembly, is
 9 30 amended to read as follows:

CODE: Makes a technical correction to HF 2450
 (Public Retirement Systems Bill).

9 31 3. The decreased annuity provided in this section shall be
 9 32 in lieu of the annuities ~~and refunds~~ provided for in sections
 9 33 602.9107, ~~602.9108, 602.9115~~, 602.9204, 602.9208, and
 9 34 602.9209.

9 35 **Sec. 402.** Section **602.9115A**, unnumbered paragraph 1, Code
 10 1 1991, is amended to read as follows:

CODE: Makes a technical correction due to the
 enactment of HF 2450.

10 2 In lieu of the annuities and refunds provided for judges
 10 3 and judges' survivors under sections **602.9107**, **602.9107A**,
 10 4 602.9108, 602.9115, 602.9204, 602.9208, and 602.9209, judges
 10 5 may elect to receive an optional retirement annuity during the
 10 6 judge's lifetime and have the optional retirement annuity, or
 10 7 a designated fraction of the optional retirement annuity,
 10 8 continued and paid to the judge's survivor after the judge's
 10 9 death and during the lifetime of the survivor.

10 10 **Sec. 403.** Section **602.9115A**, unnumbered paragraph 3, Code
 10 11 1991, is amended to read as follows:

CODE: Makes a technical correction due to the
 enactment of HF 2450.

10 12 The optional retirement annuity shall be the actuarial
 10 13 equivalent of the amounts of the annuities payable to judges
 10 14 and survivors under sections 602.9107, **602.9107A**, 602.9115,
 10 15 602.9204, 602.9208, and 602.9209. The actuarial equivalent
 10 16 shall be based on the mortality and interest assumptions set
 10 17 out in section 602.9107, subsection 3.

10 18 DIVISION V

Provides that Divisions I (Reductions), II

10 19 Sec. 501. EFFECTIVE DATE. Divisions I, II, III, and this
10 20 division of this Act, being deemed of immediate importance,
10 21 take effect upon enactment.
10 22 SF 2367
10 23 mg/cc/26

(Supplementals), III (FY 1992 Salaries), and V
(Effective Date) take effect upon enactment.

EXTRAORDINARY SESSIONS

	<u>BILL NUMBER</u>	<u>PAGE</u>
First Extraordinary Session Summary	....	847
Second Extraordinary Session Bill	SF 2393	848

**EXECUTIVE SUMMARY
FIRST EXTRAORDINARY SESSION SUMMARY**

SUMMARY

**REPEAL OF SALES TAX ON
CONSULTANT SERVICES (SF 2381)**

INDIGENT DEFENSE (SF 2382)

ETHICS REFORM (SF 2384)

**FOSTER AND SHELTER CARE (SF
2385)**

..

**SALE OF WOI TELEVISION
PROHIBITION (SF 2388)**

GOVERNOR'S VETOES

• The First Extraordinary Session (special session) of the 74th General Assembly was held May 20 - May 22, 1992. Legislation passed during the session is outlined below.

• Repeals the sales tax on consultant services imposed during the regular session in SF 2116 (Appropriations Adjustments Bill).

FISCAL EFFECT: Reduction in revenues are anticipated to be insignificant in FY 1992 and less than \$3.0 million in FY 1993.

*Increases from 2 to 6 the number of counties to be included in a pilot project to prioritize contracting with private attorneys to provide legal defense services to indigent persons.

• Changes the effective date of the repeal of the current gift law provisions from July 1, 1992 to December 31, 1992. The new gift law takes effect January 1, 1993.

• Requires the State Foster Care Review Board to use up to \$50,000 of the funded appropriated for conducting foster care reviews in the Sixth and Eighth Judicial Districts to fund an administrator for the Board.

• Amends a provision in HF 2480 (Child Welfare Statutory Bill) which requires that counties pay for the portion of the shelter care cost which exceeds the statutory reimbursement maximum of \$75.11. Language in HF 2452 (Juvenile Justice Bill) limiting the counties' obligation to excess costs in publicly owned facilities is repealed.

FISCAL EFFECT: The amendment is estimated to result in additional annual costs to counties of \$1.3 million.

• Deletes a provision in HF 2480 (Child Welfare Statutory Bill) which requires that, effective July 1, 1993, group foster care providers be reimbursed at 100.0% of the group foster care maintenance costs, not to exceed the statutory reimbursement maximum of \$75.11.

• Prohibits the sale of WOI Television by the State Board of Regents. *This item was vetoed by the Governor.*

• The Governor vetoed SF 2388, stating that it supercedes the authority of the State Board of Regents.

**EXECUTIVE SUMMARY
SECOND EXTRAORDINARY SESSION BILL**

SENATE FILE 2393

SUMMARY

**SALARY ADJUSTMENT
APPROPRIATIONS**

SALARY PROVISIONS

**SALES TAX INCREASED FROM
4.0% TO 5.0%**

**PERSONAL INCOME TAX
THRESHOLDS INCREASED**

**EXPANDED ELIGIBILITY FOR
PROPERTY TAX CIRCUIT-BREAKER
RELIEF**

- The Second Extraordinary Session (special session) of the **74th General** Assembly was held June 25, **1992**. One bill, SF **2393**, was **passed** covering the items listed **below**.
 - Appropriates **\$98.0** million from the General Fund, **\$5.2** million from the **Road Use Tax** Fund, and **\$14.0** million from the **Primary Road** Fund for salary adjustments.
 - Specifies salary rate limits and ranges for the Judicial Department, appointed State **officers**, and the Public Employment Relations Board.
 - Fully **funds** arbitration decisions for contract-covered employees in all collective bargaining units. The two-year salary increases in the various agreements range from **9.0%** to **10.5%**.
 - *Allows other noncovered employees within the State a **7.5%** increase and a merit **step** increase for FY **1993**.
 - Allows Board of Regents' noncovered faculty an average increase of **7.5%**.
 - The **sales** and **use tax** is increased from **4.0%** to **5.0%** effective July **1, 1992**. Motor vehicle **use tax** revenue attributable to the increase is deposited in the Generally Accepted Accounting Principles (GAAP) Deficit Reduction Fund instead of the **Road Use Tax** Fund.
- FISCAL EFFECT: Beginning in FY **1993**, General Fund revenues are estimated to increase **\$273.9** million. Of this amount, **\$31.2** million will be deposited in the GAAP Deficit Reduction Fund.
- Personal income tax thresholds are increased effective **tax year 1992**, then increased again for tax years beginning **on** or after January **1, 1993**. Reductions in income **tax** liability will occur for approximately **113,000** returns filed for tax year **1992**, and **an** additional **100,000** returns filed for tax year **1993**.
- FISCAL EFFECT: In comparison to FY **1992** personal income **tax** revenues, **these** provisions are estimated to reduce General Fund revenues by approximately **\$12.5** million in FY **1993** and **\$25.0** million in **FY 1994**.
- Modifies the FY **1994** circuit-breaker for eligible low-income Iowans aged **18-64** by allowing them to receive the same amount of credit as if they were eligible low-income elderly or disabled recipients.

**EXECUTIVE SUMMARY
SECOND EXTRAORDINARY SESSION BILL**

SENATE FILE 2393

PROPERTY TAX FREEZE

FISCAL EFFECT: This is estimated to ~~increase~~ the General Fund ~~appropriation~~ for ~~the~~ Program by **\$12.0 to \$14.0 million** beginning in FY **1994**.

- Requires city and county property ~~tax~~ levies for FY **1994** and FY **1995** to be the ~~same amount as~~ in FY **1993** with exceptions allowed for debt service, voter approved ~~taxes~~, levies on increases in the tax ~~base~~, and hospital levies.

FISCAL EFFECT: The freeze is estimated to reduce property ~~taxes~~ statewide by approximately \$20.0 million for FY **1994** and FY **1995**.

GREEN THUMB PROGRAM

- * Appropriates **\$129,000** for the ~~Green~~ Thumb Program ~~administered~~ by the Department of Natural Resources (DNR). The Program provides work opportunities for senior citizens in State and local parks.

BLACK HAWK LAKE DREDGING

- Appropriates **\$398,000** for the continued dredging of Black Hawk Lake in ~~Sac~~ County. ~~Dredging of the lake began in FY 1992 with funds from Marine Fuel Tax revenues and the federal Clean Lakes Program.~~

HOUSING IMPROVEMENT FUND

- Provides a **\$1.0 million** appropriation to the Iowa Finance Authority for the ~~Housing~~ Improvement Fund. Requires a **\$600,000** allocation to programs for the homeless and a **\$400,000** allocation for rental rehabilitation programs.

JUVENILE JUSTICE

- * Appropriates **\$29,000** to the Department of Public Safety for expansion of ~~the Drug~~ Abuse Resistance Education (DARE) programs. These programs provide law enforcement personnel for programs in local communities targeted to fifth and sixth grade students.

-Appropriates **\$50,000** to the Department of Human Services (DHS) for pilot programs for runaways in Polk and ~~Woodbury~~ counties. These new programs will involve the courts, law enforcement, shelter ~~care~~ providers, and counseling services and will ~~use a family-oriented~~ approach.

- Appropriates **\$125,000** to the ~~DHS~~ for a Centralized Juvenile Intake Center in Polk county. The new Center will assist in the pre-adjudication placement of juveniles involved in delinquency or Child in ~~Need~~ of Assistance (CINA) proceedings.

**EXECUTIVE SUMMARY
SECOND EXTRAORDINARY SESSION BILL**

SENATE FILE 2393

MEDICAL ASSISTANCE

*Appropriates **\$75,000** to the Judicial Department for a ~~Summer Work and Learn Program~~ in Sioux City. This new Program will utilize existing resources and is required to have the support and involvement of a broad array of existing community programs.

-Appropriates **\$900,000** to the DHS for reimbursement to counties of ~~the~~ cost of holding children in detention homes for more than **72** hours following the first dispositional hearing ~~after~~ adjudication. Requires the reimbursements to be pro-rated if funds are inadequate to pay all reimbursements.

*Appropriates **\$276.2** million to the Medical Assistance Program. Reflects the addition of **\$1.4** million based ~~upon~~ not charging copayments ~~on~~ mandatory services and the expansion of the Medicaid Patient Access to Service System (MediPASS) to ~~an~~ additional **27,000** eligible recipients (savings of **\$325,000**).

• Requires the DHS to expand utilization review of specified ~~services~~ for ~~services~~ provided after July 1, **1992**. Requires a Medical Assistance recipient to be subject to utilization review if the recipient uses more than **24** visits in a 12-month ~~period~~. Requires the ~~DHS~~ to implement a prospective system for limiting the number of physician-related visits eligible for reimbursement in the Medical Assistance Program, if it is cost-effective,

*Requires the DHS, in determining the eligibility of an individual for ~~the~~ Medical Assistance Program, to consider resources transferred to the individual's ~~spouse~~ or another ~~person~~ ~~on~~ or after July 1, **1992**. These are nonexempt items, owned by the transferor within the ~~preceding~~ **60** months which the transferor gave away or sold at less than fair market value for the purpose of ~~becoming~~ eligible for the Medical Assistance Program. Currently federal law provides that the maximum amount of time which ~~can~~ be considered regarding transfer of ~~assets~~ is 30 months ~~preceding~~ eligibility determination. The DHS is applying for a federal waiver to increase the time from 30 ~~months~~ to 60 months.

MEDICAL CONTRACTS

*Appropriates **\$120,000** to Medical Contracts for implementation of a prior authorization program for selected drugs under the Medical Assistance Program, effective October 1, **1992**. The Medical Assistance appropriation reflects a savings of **\$509,000** due to savings ~~assumed as a result~~ of this Program.

IOWA VETERANS' HOME

.Appropriates **\$10,000** to the Iowa Veterans' Home (IVH) in addition to \$26.5 million appropriated to the IVH in SF **2355** (Human Services Appropriations Bill).

**EXECUTIVE SUMMARY
SECOND EXTRAORDINARY SESSION BILL**

SENATE FILE 2393

PRENATAL CARE AND HEALTH

- Appropriates \$350,000 to the DHS to expand family planning services to specified eligible women, and \$143,000 for risk assessments for pregnant women eligible for Medical Assistance and for enhanced services for those found to be high-risk.
- Appropriates \$100,000 to the DHS for use by the Department of Public Health (DPH), Division of Substance Abuse and Health Promotion, for the integration of reproductive health services with substance abuse programs.
- Establishes the Healthy Family Program in the DPH to provide services to families and children during prenatal through preschool years.
- Appropriates \$665,000 to the DPH to fund the Healthy Family Program, to provide staff support for a multidisciplinary team conducting research regarding causes of infant deaths, and to increase the use of mid-level practitioners to improve access to prenatal care.
- Appropriates \$75,000 to the Insurance Division of the Department of Commerce to establish an Iowa Center for Health Care Issues.

ACROSS-THE-BOARD REDUCTIONS

*Requires 2 selective across-the-board (ATB) reductions to FY 1993. The estimated savings associated with the reductions is \$39.5 million. Twenty-six agencies received a 5.0% ATB reduction resulting in a savings of \$24.3 million. Eight agencies received a 2.0% ATB reduction resulting in a savings of \$15.2 million. Appropriations exempt from reductions include: K-12 School Aid and Educational Excellence; DHS, except for Central Administration; Department of Corrections (DOC) institutions; all appropriations to the Health and Human Rights Appropriations Subcommittee; revenue generating components of the Department of Revenue and Finance; Indigent Defense and the State Public Defender; note payments (DOC and telecommunications network); certain standing appropriations, such as unemployment insurance, the State Appeals Board, Performance of Duty, Court Costs; and item veto restorations.

REVENUES FROM MOTOR VEHICLE WEIGHT VIOLATION FINES

*Deposits all revenues collected from fines on motor vehicle weight violations into the General Fund. Prior to the enactment of SF 2393, the first \$2.5 million was deposited into the Road Use Tax Fund. Revenues in excess of \$2.5 million were to be deposited into the General Fund; however, these revenues have never exceeded \$1.8 million in any given year.

EDUCATIONAL EXCELLENCE PROGRAM

- Reduces the General Fund appropriation by \$12.0 million compared to the original PY 1993 appropriation. The Educational Excellence Program is comprised of 3 parts, Phases I, II, and III.

**EXECUTIVE SUMMARY
SECOND EXTRAORDINARY SESSION BILL**

SENATE FILE 2393

**REVERSION TO ACHIEVE A
SAVINGS IN OUT-OF-STATE
TRAVEL AND EQUIPMENT
PURCHASES
STATE AIRCRAFT POOL**

- Chapter 294A, Code of Iowa, specifies the **uses** of the funding, with Phase I, the **minimum \$18,000** teacher salary provision, and Phase II, the supplementing of existing teacher salaries, being **funded** prior to funding Phase III, the **performance-based pay** and supplemental pay plans.
- The remaining funds, approximately **\$43.0** million prior to the **reduction**, are **used** for Phase III. The \$12.0 million will be reduced from only the Phase III portion of the Program.
- Each school district determines the criteria and distribution methodology for the Phase III monies, so the number of teachers affected or the possible reduction of the award amounts is not **known**.
- *Requires that the **15** departments or agencies **reduced** by less than **5.0%** shall **proportionally** save **\$6.0** million in FY **1993**. The savings will be achieved through a reduction in out-of-state travel **and** equipment purchases with the Department of Management being responsible for securing the savings from the departments.
- Requires the State **to** sell the **3** State-owned aircraft **and** eliminate the State Aircraft Pool by **January 1, 1993**. The proceeds of the sale, which are estimated to be between \$500,000 and \$600,000, and any unobligated balance in the Aircraft **Pool** Revolving Fund will be deposited into the General Fund. With the elimination of the Aircraft Pool, **State** agencies desiring service will be required to charter through a private carrier.

WAYS AND MEANS SUMMARY

<u>SUBJECT</u>	<u>BILL NUMBER</u>	<u>PAGE</u>
Automobile Rental Excise Tax	HF 695	854
Expansion of Sales Tax on Services	HF 2116	855
Emergency Medical Services	HF 2400	856
Update State Tax Code to Federal Tax Code Changes	HF 2401	857
Sales Tax Exemption For Prosthetic Devices	HF 2449	858
Motor Vehicle Registration Fees	HF 2477	859
Seed Capital Tax Credit Sunset Extension to 1996	HF 2478	860
Withholding for Debt Retirement for Quad Cities Development Project	HF 2481	861
Reciprocal Tax Agreements With Other States	HF 2483	862
Speculative Shell Buildings	HF 2484	863
Sales Tax Increase; Income Tax and Property Tax Relief; Technical Changes	SF 2034	864
Sales Tax Exemption for Agricultural Bedding	SF 2298	865
Multipurpose Vehicles	SF 2346	866
Repeal Sales Tax on Consulting Services	SF 2381	867

**EXECUTIVE SUMMARY
AUTOMOBILE RENTAL EXCISE TAX**

HOUSE FILE 695

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

AUTOMOBILE RENTAL EXCISE TAX

• The sales tax increase imposed in this bill was increased from 4.0% to 5.0% by SF 2393, the Second Extraordinary Session Bill.

• Imposes an excise tax of 4.0% on the rental of automobiles and deposits the revenues into the Road Use Tax Fund (RUTF). This tax is in addition and separate from the sales tax which is currently imposed on automobile rental services.

NOTE: House File 2486 (Standing Appropriations Limitations Bill) increases the automobile rental excise tax to 5.0%; however, this provision was vetoed by the Governor.

**MOTOR VEHICLE USE TAX
EXEMPTION**

*Provides that motor vehicles purchased for rental be exempt from the application of motor vehicle use tax.

FISCAL EFFECT: The excise tax on the rental of motor vehicles is estimated to generate approximately \$1.0 million annually to the RUTF. This increase will be offset by an unknown amount as a result of exempting these vehicles from use tax.

**EXECUTIVE SUMMARY
EXPANSION OF SALES TAX ON SERVICES**

SENATE FILE 2116

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS**

**EXPANSION OF 4.0% SALES TAX
TO ADDITIONAL SERVICES**

• *The sales tax increase imposed in this bill was increased from 4.0% to 5.0% by SF 2393, the Second Extraordinary Session Bill. Consulting services remain exempt from sales tax.*

• Expands the sales tax on services to include consultant services, dating services, limousine service, nonresidential commercial sewage service, sign construction and installation, storage of household goods, mini-storage, swimming pool cleaning and maintenance, taxidermy services and short-term aircraft rentals. The expansions are effective April 1, 1992.

FISCAL EFFECT: This legislation is estimated to increase General Fund revenues by \$3.0 million in FY 1992 and \$11.5 million in FY 1993.

**CONSULTING SERVICES TAX
REPEALED**

• The sales tax on consulting services was repealed during the 1992 Extraordinary Session with enactment of SF 2381 (Repeal Sales Tax Consulting Services Bill).

FISCAL EFFECT: Repeal of the tax on consultant services is estimated to decrease anticipated growth in General Fund revenues by an insignificant amount in FY 1992 and less than \$3.0 million in FY 1993.

**EXECUTIVE SUMMARY
EMERGENCY MEDICAL SERVICES**

HOUSE FILE 2400

**EMERGENCY MEDICAL SERVICES
DISTRICT**

-Allows county board of supervisors to designate an emergency medical services district in unincorporated areas (but shall not include property assessed as agricultural land) for the purpose of funding emergency medical services through the imposition of property tax on property owners residing in the district. The imposed tax shall only be an amount necessary to fund the proposed services and shall not be more than \$1.00 per \$1,000 of assessed value on all the taxable property within the established district.

FISCAL EFFECT: The fiscal effect will be contingent upon which counties elect to impose taxes, and the amount of emergency medical service needs which those counties wish to fund.

**AD VALOREM PROPERTY TAX
AND INCOME SURTAX**

-Allows counties to impose a local property tax and/or a local income surtax to fund emergency medical services within a county. The imposed tax or combination of taxes shall only be an amount necessary to fund the proposed services. The property tax levy shall be established by the county board of supervisors. The income surtax shall not exceed 1.0% of the State individual income tax of each individual residing in the county. These taxes shall not be imposed for more than 5 years.

FISCAL EFFECT: The fiscal effect will be contingent upon which counties elect to impose taxes, and the amount of emergency medical service needs which those counties wish to fund.

**EMERGENCY MEDICAL SERVICES
TRUST FUND**

•All taxes collected by a county for emergency medical services shall be deposited into an emergency medical services trust fund. Costs which are eligible as trust fund expenditures include, but are not limited to: defibrillators, nondisposable ambulance equipment, communications equipment, training services, emergency vehicles, buildings, and land.

**EXECUTIVE SUMMARY
UPDATE STATE TAX CODE TO FEDERAL TAX CODE CHANGES**

HOUSE FILE 2401

INTERNAL REVENUE CODE UPDATE

·Updates references in the Iowa Tax Code to sections of the Internal Revenue Code to be consistent with changes enacted at the federal level.

FISCAL EFFECT: This legislation is estimated to increase FY 1992 General Fund revenues by \$1.0 million, and decrease FY 1993 revenues by \$300,000.

**EXECUTIVE SUMMARY
SALES TAX EXEMPTION FOR PROSTHETIC DEVICES**

HOUSE FILE 2449

**EXEMPTS PROSTHETIC DEVICES
FROM SALES TAX**

.Exempts from sales tax the sale or rental of prosthetic devices, prescription devices, or oxygen equipment used for human use or consumption. The exemption applies retroactively to January 1, 1987. Claims for refund of taxes paid before enactment of this hill must be **filed** prior to December 31, 1992.

FISCAL EFFECT: The impact on General Fund revenues is not believed to be significant because of low compliance.

**EXECUTIVE SUMMARY
MOTOR VEHICLE REGISTRATION FEES**

HOUSE FILE 2477

REGISTRATION FEE CHANGES

• Requires that all **1993** model year and newer multipurpose vehicles be registered at **1.0%** of the value plus **40 cents** per 100 pounds (the **same as** automobiles) beginning **January 1, 1993**. All 1992 model year and older multipurpose vehicles will be registered at **the rates** established in SF 2346 (Multipurpose Vehicles Bill).

FISCAL EFFECT: It is estimated that this change will generate **\$202,000** in FY **1993** and **\$720,000** in FY **1994** to the Road **Use Tax** Fund in addition to amount of revenue raised **from** the enactment of SF 2346.

DEDUCTION FROM STATE INCOME TAX

*Allows individuals to deduct **60.0%** of their annual multipurpose vehicle registration **fee from** their State **income tax**.

FISCAL EFFECT: This will reduce income tax revenues **to the General Fund** by **an unknown** amount.

EXECUTIVE SUMMARY
SEED CAPITAL TAX CREDIT SUNSET EXTENSION TO 1996

HOUSE FILE 2478

**EXTENSION OF SEED CAPITAL TAX
CREDIT SUNSET**

· Extends the sunset of the **seed** capital tax credit to January 1, 1996. The credit had been **scheduled to** sunset January 1, 1993 for individual investors, and January 1, 1994 for corporate investors.

FISCAL EFFECT: If currently affected filers raise the maximum amount, the cost would be \$380,000 in lost revenue to the General Fund in FY 1994. Based on trends in filings, pre-filing conferences, and inquiries, the credit is expected to experience moderate growth in the future. The first full year of use of the credit will **be** reflected in tax filings made in 1993 for securities bought in 1992, which means that there would be **no** impact on the FY 1993 budget.

There should be no cost effect in the second and third year due **to** the positive impact on tax generation due **to** active investments and existing multipliers.

EXECUTIVE SUMMARY

HOUSE FILE 2481

WITHHOLDING FOR DEBT RETIREMENT FOR QUAD-CITIES DEVELOPMENT PROJECT

EARMARKING WITHHOLDING TAX REVENUES FOR DEBT SERVICE OF SPECIAL PROJECT

Provides for a mechanism for attracting the federal **Department of Defense** Finance and Accounting Services to locate a project **near Iowa's borders**. Allows for the issuance of **bonds** to fund such a project. Funding for payment of the principal and interest **on these** bonds would **come from a** credit from withholding of state income taxes **on** employees at the federal project. **The** credit would **be** equal to **2.0%** of the gross wages paid to each employee. The employer would **remit** the amount of the credit to the issuer of the securities with the collections to **be** placed in a special fund. The remainder of the withholding is to be remitted to the Department of Revenue and Finance. The employee will receive full credit for the total amount withheld for individual income **tax** purposes. Once the principal and interest **on** the bonds have been paid, the withholding credits will **cease**. The bill is effective July 1, 1992, and is scheduled to sunset **on** January 1, 1996 except for agreements entered into prior to that date.

ASSUMPTION: This bill will result in **an** increase of approximately 2,500 employees who would receive **an** annual average salary of \$30,000.

FISCAL EFFECT: **The** projected amount of withholding **tax** credit is **\$1.5** million annually.

**EXECUTIVE SUMMARY
RECIPROCAL TAX AGREEMENTS WITH OTHER STATES**

HOUSE FILE 2483

**REPLACE RECIPROCAL TAX
AGREEMENTS LANGUAGE**

•Repeals present language providing authority for the Director of the Department of Revenue and Finance to enter into reciprocal agreements with **tax** officials of other states and provides new language for entering into these agreements. Prohibits the withholding of Iowa income taxes or information reporting associated with pensions, annuities, or deferred compensation paid to a nonresident of Iowa if the income is associated with employment within the State.

FISCAL EFFECT: The fiscal impact is estimated to be insignificant.

**EXECUTIVE SUMMARY
SPECULATIVE SHELL BUILDINGS**

HOUSE FILE 2484

SPECULATIVE SHELL BUILDINGS

·Provides that for-profit agencies may receive a property tax exemption for a speculative shell building if allowed by ordinance and used as a speculative shell building. Allows accelerated depreciation of the building for income tax purposes.

FISCAL EFFECT: The fiscal impact is not anticipated to be significant.

EXECUTIVE SUMMARY

SENATE FILE 2034

SALES TAX INCREASE; INCOME TAX AND PROPERTY TAX RELIEF; TECHNICAL CHANGES

**SECOND EXTRAORDINARY
SESSION ADJUSTMENTS****SALES TAX INCREASE**

• *The sales tax increase imposed in this bill was reinstated in SF 2393, the Second Extraordinary Session Bill.*

• Increases the sales tax from 4.0% to 5.0% effective June 1, 1992. Twenty percent of the motor vehicle use tax revenues will be deposited in the General Fund.

FISCAL EFFECT: General Fund revenues are estimated to increase by \$20.8 million in FY 1992 and \$273.9 million in FY 1993.

INCOME TAX RELIEF

• Increases the income tax floors from the current levels of \$5,000 for singles and \$7,500 for other filers to \$9,000 for singles and \$13,500 for other filers effective for tax years beginning January 1, 1992.

FISCAL EFFECT: Beginning in FY 1993, General Fund revenues will decrease \$24.8 million.

PROPERTY TAX RELIEF

*Expands the property tax circuit-breaker for eligible households headed by Iowans aged 18-64 that is scheduled to first take effect for FY 1994 to allow claimants to receive the same amount of relief as eligible claimants of the circuit-breaker for the elderly and disabled.

FISCAL EFFECT: This is estimated to increase the standing appropriation for the property tax circuit-breaker by an additional \$12.0 to \$14.0 million.

**TECHNICAL AND ADMINISTRATIVE
TAX CHANGES**

-Requires voter registration forms to be included in the income tax form only on odd-numbered years, requires withholding of state income tax on slot machine Winnings in excess of \$1,200, provides for changes in reporting requirements for income tax purposes, provides clarifications relating to the corporate income tax, provides that carpeting shall be taxed solely as a sale of ordinary personal property, imposes the services tax on vehicle repair and vehicle wash and wax instead of automobile repair and car wash and wax, and provides that inheritance tax returns, estate tax returns, and generation skipping transfer tax returns are confidential.

FISCAL EFFECT: The fiscal impact to the General Fund is estimated to be insignificant.

GOVERNOR'S VETO

• The Governor vetoed this bill stating the Legislature did not achieve adequate long-term fiscal reform.

**EXECUTIVE SUMMARY
SALES TAX EXEMPTION FOR AGRICULTURAL BEDDING**

SENATE FILE 2298

**EXEMPTS STRAW, HAY, AND
PAPER BEDDING**

•Exempts from sales tax the purchase of straw, hay, and paper bedding used in agricultural production effective July 1, 1992.

FISCAL EFFECT: General Fund revenues will decline by an insignificant amount beginning in FY 1993

**EXECUTIVE SUMMARY
MULTIPURPOSE VEHICLES****SENATE FILE 2346****REGISTRATION FEE CHANGES**

Requires that multipurpose vehicles registration fee be based on the model year of the vehicle. The new rates are: \$200 for the first and second model years, \$175 for the third and fourth model years, \$150 for the fifth model year, \$75 for the sixth model year, and \$55 for each succeeding year.

FISCAL EFFECT: It is estimated that this legislation will generate approximately \$11.5 million annually. Of this, \$11.0 million will be deposited into the Road Use Tax Fund (RUTF) and \$460,000 (4.0%) will be retained by counties.

NOTE: House File 2477 (Motor Vehicle Registration Fees Bill) amends SF 2346 by requiring that all 1993 model year and newer multipurpose vehicles be registered at 1.0% of the value plus 40 cents per 100 pounds (the same as automobiles) beginning January 1, 1993. All 1992 model year and older multipurpose vehicles will be registered at the rates established in SF 2346. It is estimated that this change will generate \$202,000 in FY 1993 and \$720,000 in FY 1994 to the RUTF in addition to the increased revenues from the enactment of SF 2346.

**EXECUTIVE SUMMARY
REPEAL SALES TAX ON CONSULTING SERVICES**

SENATE FILE 2381

**TAX ON CONSULTING SERVICES
REPEALED**

• Repeals the sales tax on consulting services imposed by SF 2116 (Appropriations Adjustment Bill). The repeal is retroactive to April 1, 1992. Individuals who have paid the tax are eligible for a refund if claims are filed by October 1, 1992.

FISCAL EFFECT: The fiscal effect upon FY 1992 is not expected to be significant. The reduction in General Fund revenue for FY 1993 is believed to be less than \$3.0 million.

LEGISLATIVE FISCAL BUREAU REPORTS

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**EXECUTIVE SUMMARY
FEDERAL AND STATE MANDATES**

LEGISLATIVE FISCAL BUREAU (LFB) REPORT

PURPOSE

• This report provides an overview of mandates imposed by the federal government upon State or local government, and of mandates imposed by the State government upon local governments. The report also provides information on the estimated fiscal impact of the identified mandates.

FINDINGS

- A total of 112 mandates were identified as imposed by the federal government upon State or local government. A total of 63 mandates were identified as imposed by the State government upon local governments.

AVAILABILITY

• Copies of this report are available upon request from the LFB.

EXECUTIVE SUMMARY FUNDS FLOWCHARTS

FY 1992 STATE FUNDING FLOWCHARTS

AVAILABILITY

LEGISLATIVE FISCAL BUREAU (LFB) REPORTS

- This report contains a flowchart-style graphic representation of each budget unit of all agencies of State government. The report contains fiscal information for each budget unit, including the beginning and ending balances, amount and percent of each funding source, and the amount and percent of each expenditure category, as well as FTE position usage. The budget unit flowchart allows transfers and appropriations between budget units to be tracked. The report is divided into 9 Appropriations Subcommittee volumes.
- Copies of this report are available upon request from the LFB.

**EXECUTIVE SUMMARY
GOVERNOR'S SPENDING REFORM COMMITTEE (GRSC)**

LEGISLATIVE FISCAL BUREAU (LFB) REPORT

PURPOSE

• This report provides a review of the recommendations made by the GRSC, which has also been referred to as the Fisher Committee. The report reviews both the recommendations made by the Governor and the actions taken by the General Assembly in relation to the Committee's recommendations.

FINDINGS

• The GRSC identified 2 sets of recommendations (the "Top 22" and the "Other 47"). The savings potential identified by the GRSC for the Top 22 totalled \$357.91 million. The Governor recommended adoption of \$165.35 million of these recommendations and legislative action resulted in savings of \$143.04 million savings. Of the Other 47, the GRSC identified a possible \$88.87 million in savings, of which the Governor recommended \$62.79 million and legislative action resulted in \$61.53 million savings.

AVAILABILITY

-Copies of this report are available upon request from the LFB.

**EXECUTIVE SUMMARY
NEW AND EXPANDED PROGRAMS****LEGISLATIVE FISCAL BUREAU (LFB) REPORT****PURPOSE**

• This report provides an overview of new and expanded programs which were either recommended by the Governor and/or approved by the General Assembly during the past **5 years**. The report also provides information concerning the Governor's vetoes of new or expanded programs.

FINDINGS

• A total of 238 new programs were identified as either recommended by the Governor and/or approved by the General Assembly during the past **5 years**. A total of 109 expanded programs were identified as either recommended by the Governor and/or approved by the General Assembly during the past **5 years**.

ANNUAL UPDATE

-The report was updated to include new and expanded programs passed during the **1993** Legislative Session.

AVAILABILITY

*Copies of this report are available upon request from the LFB.

EXECUTIVE SUMMARY ROAD USE TAX FUND

LEGISLATIVE FISCAL BUREAU (LFB) REPORT

REVENUES

This report provides an overview of Road Use Tax Fund (RUTF) revenues and how those revenues are distributed. The RUTF is comprised of revenues originating from various sources which include: taxes on fuels; fees collected on vehicle registrations, titles, and driver's licenses; use tax collected on motor vehicle purchases; fines collected from overweight truck Violations; and fees collected on underground fuel storage tank diminution. Fiscal Year 1992 and FY 1993 revenues are estimated at \$734.2 million and \$753.1 million respectively.

OFF-THE-TOP ALLOCATIONS

Before revenues are distributed through the formula, various allocations and appropriations are made from the Fund for programs, equipment purchases, and departments' operations. These allocations and appropriations are commonly referred to as "off-the-top allocations". When more revenues are used to fund off-the-top allocations, less is available for distribution through the formula for road construction. Conversely, when there are fewer off-the-top allocations, there is more revenue available for formula distribution. It should be noted that a significant portion of off-the-top allocations are used specifically for road construction and improvements (i.e., Revitalize Iowa's Sound Economy Fund and the Park and Institutional Road Fund). In FY 1992, an estimated \$144.2 million will be used to fund off-the-top allocations and \$148.5 million is estimated for FY 1993.

FORMULA DISTRIBUTION

Revenues remaining after off-the-top allocations are distributed by means of a formula: 47.5% of the revenues are distributed to the Primary Road Fund (PRF), 24.5% to the Secondary Road Fund (SEC), 8.0% to the Farm-to-Market Road Fund (FM), and 20.0% to the Municipal Road Fund (MUN). These funds are used by State and local jurisdictions for the construction and maintenance of roads. Estimated FY 1992 distributions are as follows: \$280.3 million to the PRF, \$144.5 million to the SEC, \$47.2 million to the FM, and \$118.0 million to the MUN.

AVAILABILITY

*Copies of this report are available upon request from the LFB.

EXECUTIVE SUMMARY
STANDING APPROPRIATIONS AND BUILT-IN INCREASES

LEGISLATIVE FISCAL BUREAU (LFB) REPORT

PURPOSE

• This report provides information concerning State General Fund expenditures for Standing Appropriations and Built-in Increases. Examples include spending for property tax assistance to local governments and entitlement programs for the period of FY 1982 to estimated FY 1992, education funding including school foundation aid (FY 1982 to estimated FY 1991), and other standing appropriations.

FINDINGS

*Property tax assistance increased from \$915.8 to \$1,520.4 million, entitlement programs increased from \$192.9 to \$369.7 million, and school foundation aid increased from \$620.4 to \$1,054.9 million.

AVAILABILITY

• Copies of this report are available upon request from the LFB.

**EXECUTIVE SUMMARY
STATE OF IOWA EMPLOYMENT AND SALARIES**

LEGISLATIVE FISCAL BUREAU (LFB) REPORT

REPORT

- The LFB was asked to review levels of employment and salaries for State employees **between 1980 and 1991**. The **report** specifically addressed the following **4** questions.
 - What is the actual change in the level of employment in State government over the past **ten** years?
 - Which departments have experienced large changes in the level of staffing over the **same** time period?
 - What major factors caused the changes in the level of employment in **those** departments?
 - How do salaries of State employees compare to salaries in **the** Iowa private sector and to **surrounding** states?

MAJOR FINDINGS

- *The level of State employment (excluding Regents) has increased by **14.35** from **FY 1982** to **FY 1991**. This increase takes into account 744.3 FTE positions for Community-Based Corrections staff which were not counted in the system **prior to FY 1988**. It also includes **1,385.1** FTE positions added to the Judicial Department due to Court Reorganization **between 1985 and 1987**. If these **two** factors are excluded, the overall increase is approximately **4.2%**. The **Board** of Regents institutions have experienced an overall increase in headcount of employees of **approximately 27.8%** over the **same 1982 to 1991** time period.
- **Three** departments have **experienced** changes in staffing levels of over **500.0 FTE** positions. **The** Department of Corrections has increased by **1,229.0** FTE positions, the Judicial Branch has increased by **1,437.0** FTE positions, and the Department of **Commerce** has decreased by **751.0** FTE positions.
- There have been **4** major reasons for changes in staffing levels.
 - First, **as new** programs or responsibilities have been **added to** State government, **new** positions have **been** required.
 - **Second, mandates** at the federal level have resulted in **new** positions **being** required to, implement those **mandates**.
 - *Third, **as more** advanced accounting methods and systems have **come** into use, a **more complete** and comprehensive accounting of positions has occurred.

EXECUTIVE SUMMARY STATE OF IOWA EMPLOYMENT AND SALARIES

LEGISLATIVE FISCAL BUREAU (LFB) REPORT

*Fourth, **some** positions have been eliminated as a result of privatization of certain government functions.

Regarding salaries, when comparing State of Iowa employees to private sector employees and to surrounding states, the following trends are observed.

- When a sample of specific job classifications are reviewed for State employees and compared to statewide private sector salaries, State employee average weekly wages are higher. However, when compared to the **same** positions for the private sector in Polk County, there is no distinct pattern of difference.
- When percentage changes in wages between **1980** and **1989** are compared. State employees again had a greater increase. The implementation of comparable worth during **1985** and **1986** for State employees is a primary factor in the higher percentage.

Compared to 5 surrounding states (Illinois did not participate in the survey). salaries of State of Iowa employees are very comparable. When examining average monthly salaries of selected positions, Iowa ranked third. Iowa salaries ranked consistently lower than Minnesota and Wisconsin and consistently higher than Missouri, Nebraska, and South Dakota for the **same** positions.

AVAILABILITY

*Copies of this report are available upon request from the LFB.

EXECUTIVE SUMMARY

LEGISLATIVE FISCAL BUREAU (LFB) REPORTS

FISCAL UPDATE

• This is the LFB's weekly (during session) and semi-monthly (during the interim) newsletter. It contains summaries of issues which are important to members of the General Assembly. Examples include summaries of fund transfers, board or commission meetings, action on all appropriations bills at each stage of the appropriations process, and summaries of reports issued by the LFB.

LEGISLATIVE INTENT LANGUAGE REPORT (LIL)

• This report contains an analysis of departmental compliance with the legislative intent language specified in enacted legislation (primarily appropriations bills). The report is issued bi-annually, in January for use in the Subcommittee process and in September as an end-of-year report on the prior fiscal year intent language.

EXPENDITURE OVERSIGHT (EO) REPORT

• This report contains an analysis of the expenditures of departments, comparing expected to actual levels. The report is issued bi-annually, in January for use in the Subcommittee process and in September as an end-of-year report on the major deviations. Both issues of the report include an analysis of FTE positions utilization by the departments and the end-of-year report includes estimated reversions for the fiscal year. Additionally, analysts conduct a monthly review of expenditures and FTE position usage. Any significant deviations are included in the Fiscal Update.

PERFORMANCE OVERSIGHT (PO) REPORT

• This report contains an analysis of departmental attainment of objectives related to specific goals of the departments. The report is based on performance measures reported to the LFB by departments. In order to reduce duplication of effort, staff of the LFB and the Department of Management are currently working to revise the list of performance measures collected for each department, in order to improve the quality of the measures and reduce the amount of data reported and collected.

FACTBOOK

• This annual report contains historical information on issues and questions commonly asked by the General Assembly about departmental activities or funds. The report contains information for up to 10 years on each issue, if information is available for the period.

GENERAL FUND RECEIPTS MEMO

• Memo issued on the first working day of each month detailing the status of General Fund receipts comparable to the same time period a year ago. Includes growth figures for the fiscal year and the previous month. Also includes information on the unemployment rate and labor force in Iowa.

BUDGET AND DEPARTMENTAL REQUEST SUMMARY

• This annual report reviews receipts and expenditures of the current fiscal year and summarizes departmental requests for the next fiscal year. It is issued in December/January of each year.

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Miscellaneous Appropriation Bills	Appropriation Adjustments	Extraordinary Sessions	Ways and Means Summaries	Legislative Fiscal Bureau Reports
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EXECUTIVE SUMMARY

LEGISLATIVE FISCAL BUREAU (LFB) REPORTS

DETAIL DOCUMENT OF DEPARTMENTAL REQUESTS

• This annual report contains a detailed analysis of departmental requests and is issued in December/January of each year. A separate report is issued containing the analysis of departments for each Appropriations Subcommittee. The report includes each department's mission statement, a brief history of the department, an overall analysis of the departmental requests, an analysis of issues which may need to be addressed by the Appropriations Subcommittee, and a summary of the legislative oversight reports which have been issued recently. The report may also include the specific departmental requests and summary tables of past, current, and requested appropriations.

GOVERNOR'S RECOMMENDATIONS SUMMARY

• This report contains a detailed analysis of both the departmental requests and the Governor's recommendations related to those requests. It is issued one week after the Governor's budget message is delivered to the General Assembly.

NOTES ON BILLS AND AMENDMENTS (NOBA)

• These reports contain a section by section analysis of a bill and/or amendment to a bill, and provide the actual text of a bill in the left column and an analysis of the action in the right column of the report. The reports are issued for each appropriations bill at each step in the appropriation's process. All changes to the Code of Iowa are highlighted, and an appropriations summary and comparison of prior fiscal year appropriations is provided.

APPROPRIATIONS TRACKING DOCUMENT

• These reports contain an updated summary, in table form, of the prior fiscal year's appropriation, the Governor's recommendations, and legislative action to that point in the Legislative Session.

PROGRAM EVALUATION AND OTHER MANDATED STUDIES

• These reports are issued periodically to all members of the Legislature. A research team is assigned within the LFB to work with a sponsoring legislative committee to refine the specific evaluation criteria to be addressed to insure relevancy to the General Assembly. The studies are recommended by either the Legislative Fiscal Committee or the Legislative Studies Committee and then must be approved by the Legislative Council. The studies may review departmental or program implementation, operations or outcomes, or offer recommendations for program and administrative improvement or programmatic alternatives.

ISSUE REVIEWS

• These reports review a single or limited set of questions or issues identified through the on-going legislative oversight process by LFB staff. At each meeting of the Legislative Fiscal Committee selected Issue Reviews are formally presented. All Issue Reviews completed are mailed monthly to the members of the Committee and to legislative leadership.

AVAILABILITY

• Copies of these reports are available upon request from the LFB.